

EXECUTIVE SUMMARY - ENFORCEMENT MATTER
DOCKET NO.: 2008-0062-AIR-E TCEQ ID: RN100238682
CASE NOS.: 35189, 34678, 34886, 35488, AND 36002
RESPONDENT NAME: SOLUTIA INC.

Page 1 of 5

ORDER TYPE:		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
CASE TYPE:		
<input checked="" type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p>SITE WHERE VIOLATION(S) OCCURRED: Farm-to-Market Road 2917, approximately 11 miles southeast of Alvin and approximately 8 miles south of the intersection of Texas Highway 35 and FM 2917, Brazoria County</p> <p>TYPE OF OPERATION: Organic chemical production plant</p> <p>SMALL BUSINESS: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>OTHER SIGNIFICANT MATTERS: There are no complaints. There are no additional enforcement actions currently pending against this facility location.</p> <p>INTERESTED PARTIES: No one other than the ED and the Respondent expressed an interest in this matter.</p> <p>COMMENTS RECEIVED: The <i>Texas Register</i> comment period expired May 4, 2009. No comments were received.</p> <p>CONTACTS AND MAILING LIST:</p> <p style="margin-left: 40px;">TCEQ Attorney: Ms. Jennifer Cook, Litigation Division, MC 175, (512) 239-1873 Ms. Lena Roberts, Litigation Division, MC 175, (512) 239-0019</p> <p style="margin-left: 40px;">SEP Coordinator: Ms. Sharon Blue, Litigation Division, MC 175, (512) 239-2223</p> <p style="margin-left: 40px;">TCEQ Enforcement Coordinator: Ms. Kimberly Morales, Air Enforcement Section, MC R-12, (713) 422-8938</p> <p style="margin-left: 40px;">TCEQ Enforcement Coordinator: Ms. Miriam Hall, Air Enforcement Section, MC 128, (512) 239-1044</p> <p style="margin-left: 40px;">TCEQ Regional Contact: Ms. Linda Vasse, Houston Regional Office, MC R-12, (713) 767-</p> <p style="margin-left: 40px;">Respondent: Mr. Jeffrey N. Quinn, President and CEO, Solutia Inc., 575 Maryville Centre Drive, P.O. Box 66760, Saint Louis, Missouri, 63166-6760</p> <p style="margin-left: 40px;">Respondent's Attorney: Mr. Eric Groten, Vinson & Elkins, LLP, The Terrace 7, 2801 Via Fortuna, Suite 100, Austin, Texas 78746-7568</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>Type of Investigation:</p> <p><input type="checkbox"/> Complaint <input checked="" type="checkbox"/> Routine <input type="checkbox"/> Enforcement Follow-up <input type="checkbox"/> Records Review</p> <p>Date of Complaint Relating to this Case: None</p> <p>Dates of Investigations Relating to this Case: February 19, 2007; November 27, 2007; September 10, 2007; December 4, 2007; January 31, 2008; February 14, 2008, June 2, 3 and 16, 2008; and July 22, 2008.</p> <p>Dates of NOEs Relating to this Case: August 28, 2007, October 16, 2007, December 14, 2007, January 29, 2008, February 15, 2008, April 21, 2008, April 25, 2008, June 20, 2008, July 3, 2008, July 30, 2008.</p> <p>Background Facts: An EDRP was filed in case nos. 34886 and 34678 on January 23, 2008. Those two cases were subsequently consolidated with case nos. 35189, 35488, and 36002. A signed agreed order resolving the five consolidated cases was signed on February 9, 2009.</p> <p>AIR:</p> <p>1. Failed to comply with a permit limit of 4.50 pounds per hour ("lbs/hr") for NOx emissions from the AN-7 Process Air Startup Heater. Specifically, NOx emissions were 5.39 lbs/hr [30 TEX. ADMIN. CODE § 116.115(c); Permit No. 38336 Special Condition No. 4, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>2. Failed to test for compliance with carbon monoxide ("CO") emission limits [30 TEX. ADMIN. CODE § 117.8000 and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>3. Failed to submit Annual Compliance Certification for the period beginning November 29, 2004 through November 28, 2005, with the required certification language, and failed to identify this deficiency in the semi-annual deviation report for the time period of November 28, 2005 through May 28, 2006 [30 TEX. ADMIN. CODE §§ 122.143(4), 122.145(2)(A), and 122.146(1); Operating Permit No. O-02319, General Terms and Conditions; and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>	<p>Total Assessed: \$117,048</p> <p>Total Deferred: \$58,524 <input type="checkbox"/> Expedited Order <input type="checkbox"/> Financial Inability to Pay <input checked="" type="checkbox"/> SEP Conditional Offset</p> <p>Total Paid to General Revenue: \$58,524</p> <p>The Respondent paid \$58,524 of the administrative penalty. The remaining \$58,524 of the administrative penalty shall be conditionally offset by the completion of a Supplemental Environmental Project (SEP).</p> <p>Site Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Person Compliance History Classification <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p>Major Source: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Applicable Penalty Policy: September 2002</p>	<p>Corrective Actions Taken:</p> <p>The Executive Director recognizes that the Respondent has undertaken the following corrective measures:</p> <ol style="list-style-type: none"> On October 26, 2006, submitted an application to amend NSR Permit No. 38336 to increase the permitted maximum allowable emissions rate for Nitrogen Oxide ("NOx") for the AN-7 Process Air Startup Heater ("EPN 70H101-1"), and on August 28, 2008, received an amended permit with increased emissions rates for the startup heater. Testing conducted on March 28, 2008, demonstrated that the heater was in compliance with the new revised NOx and CO maximum allowable emission rates. On September 24, 2007, revised the process for reporting annual compliance certifications and deviation reports, and trained staff responsible for filing those reports. On October 2, 2007, personnel were retrained for timely reporting of emissions events to the agency, and on November 8 and 9, 2007, revised and re-trained personnel on the applicable crossover procedure for the Waste Heat Boiler system. On April 22, 2008, reduced fuel firing rates based on current stack test established emission rates to reduce NOx from Heaters 50H1-1, 50H1-2, 50H1-3, 50H3, 51H1, 51H5 and 51H6 to the allowable level set forth in the permit. On June 2, 2008 revised its standard operating procedures "Operate High Pressure Feedwater Pumps, Work Practice HPFW-42.21" and associated check lists to require the operator to verify that the pump and backup pump(s) switches are set to "auto" start to prevent an incident similar to the November 26, 2007, emissions event. On May 15, 2008, submitted procedures designed to prevent a recurrence of the September 26, 2007, emissions event, and on June 5, 2008, submitted corrective actions for the October 30, 2007, emissions event. On September 26, 2008, submitted procedures designed to prevent a recurrence of the February 29 and March 2, 2008, emissions events.

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>4. Failed to prevent unauthorized emissions. Specifically, 98.7 lbs of hydrogen cyanide ("HCN"), 357.4 lbs of acrylonitrile ("AN") and 5 lbs of acrolein were released when the Respondent failed to open the manual block valve during crossover of Acrylonitrile Unit 3 off gas to the Acrylonitrile Unit 2 Waste Heat Boiler resulting in the over pressure of the system, causing an emissions event which began on August 5, 2007, and lasted for five minutes. Since this emissions event was avoidable and reported late, the Respondent failed to meet the demonstration criteria for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. 18251, Special Condition No. 4; and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>5. Failed to submit the initial notification within 24 hours of discovery of an emissions event that started on August 5, 2007 [30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>6. Failed to prevent an unauthorized emissions event which occurred on September 26, 2007. Specifically, approximately 189 lbs of AN, 308 lbs of HCN, and 258 lbs of volatile organic compounds ("VOCs") were released from emissions point number ("EPN") 30H5 during a 36 minute event. The emission limits for AN, HCN and VOCs are 2.09, 1.26 and 12.04 lbs/hr, respectively. Since the emissions event was avoidable, it does not meet the demonstration criteria for an affirmative defense in 30 Tex. Admin. Code § 101.222(b)(1-11) [30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. 18251, Special Condition No. 4, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>7. Failed to prevent an unauthorized emissions event which occurred on October 30, 2007. Specifically, approximately 99 lbs of AN, 210 lbs of HCN, and 535 lbs of VOCs were released from EPN 30H5 during a one hour nine minute event. The emission limits for AN, HCN and VOCs are 2.09, 1.26 and 12.04 lbs/hour, respectively. Since the emissions event was avoidable, it does not meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(1-11) [30 TEX. ADMIN. CODE § 116.115(c), Air Permit No. 18251, Special Condition No. 4, and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p> <p>8. Failed to comply with permitted emissions limits. Specifically, during a reference method stack test conducted on March 28, 2008, it was determined that NOx and CO emissions from the AN-7 Process Air Startup Heater, EPN 70H101-2, were 8.62 lbs/hr and 13.47 lbs/hr respectively. The emission limits for this EPN are 4.50 lbs/hr for NOx and 6.0 lbs/hr for CO [30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Permit No. 38336/PSD-TX-910, Special Condition No. 4].</p>		<p>8. On November 14, 2008, submitted procedures designed to prevent a recurrence of the March 27, 2008, emissions event.</p> <p>Ordering Provision(s):</p> <p>Within 30 days, the Respondent shall implement and complete a Supplemental Environmental Project (SEP) (See SEP Attachment A).</p>

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>9. Failed to prevent unauthorized emissions. Specifically, an emissions event occurred on February 29, 2008 due to a preventable electrical spike at EPN 31H4, which lasted for one hour and 43 minutes and resulted in the release of 15.20 lbs of HCN and 526.80 lbs of the VOC propylene. The emission limits for this EPN are 1.26 lbs/hr for HCN and 4.01 lbs/hr for VOC. Since this emissions event could have been avoided by good design, operation and maintenance practices, and was improperly reported, it did not meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Permit No. 18251, Special Condition No. 4].</p> <p>10. Failed to prevent unauthorized emissions. Specifically, an emissions event occurred on March 2, 2008 due to a preventable electrical spike at EPN 31H4, which lasted for 37 minutes and resulted in the release of 166 lbs of the VOC propylene. The emission limits for this EPN are 4.01 lbs/hr for VOC. Since this emissions event could have been avoided by good design, operation and maintenance practices, it did not meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Permit No. 18251, Special Condition No. 4].</p> <p>11. Failed to prevent unauthorized emissions. Specifically, an emissions event occurred on March 27, 2008 due to a loss of air flow from operator error at EPN 30H5, which lasted for one hour and 51 minutes and resulted in the release of 4,057 lbs of VOC, 4,714 lbs of CO and 61 lbs of HCN. The emission limits for this EPN are 3.57 lbs/hr for VOC, 31 lbs/hr for CO and 1.26 lbs/hr for HCN. Since this emissions event could have been avoided by good design, operation and maintenance practices, and it was improperly reported, it did not meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Permit No. 18251, Special Condition No. 4].</p> <p>12. Failed to properly report an emissions event. Specifically, the final report for the March 27, 2008 emissions event did not contain the authorized limits for several pollutants that were involved in the event [30 TEX. ADMIN. CODE § 101.201(b)(1) and TEX. HEALTH & SAFETY CODE § 382.085(b)].</p>		

VIOLATION SUMMARY CHART:

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p>13. Failed to prevent unauthorized emissions on November 26, 2007 when the secondary backup pump, Pump 350P1-3, failed to start automatically when the primary boiler feed water pump, Pump 350P1-2, failed. Specifically, during the emissions event which lasted five minutes, the total unauthorized emissions were 355.59 lbs of VOCs and 50.54 lbs of HCN. Because these emissions could have been foreseen and avoided by good operating practices, the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 could not be met [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Permit No. 18251, Special Condition No. 4].</p> <p>14. Failed to comply with the combined maximum allowable emission rate ("MAER") for NOx for seven Linear Alkyl Benzene ("LAB") Unit heaters during stack testing conducted on February 27-28, 2007 and March 1-2 and 14, 2007. Specifically, the combined NOx MAER for Heaters 50H1-1, 50H1-2, 50H1-3, 50H3, 51H1, 51H5 and 51H6 is 18.0 lbs/hr. During testing, the actual combined rate was 21.85 lbs/hr [30 TEX. ADMIN. CODE § 116.115(c), TEX. HEALTH & SAFETY CODE § 382.085(b), and Permit No. 6534, Special Condition No. 1].</p>		

Attachment A
Docket Number: 2008-0062-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	SOLUTIA INC.
Penalty Amount:	One hundred seventeen thousand forty-eight dollars (\$117,048)
SEP Offset Amount:	Fifty-eight thousand five hundred twenty-four dollars (\$58,524)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston Area Emission Reduction Credit Organization ("AERCO") <i>Clean Cities/Clean Vehicles Program</i>
Location of SEP:	Brazoria County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. **Project Description**

A. Project

Respondent shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to AERCO for the *Clean Cities/Clean Vehicles Program* in Brazoria County as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, SEP funds will be used to aid local school districts and area transit agencies, and may be used to reach local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP funds will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. SEP funds will be used for the costs of retrofitting or replacing older diesel buses with alternative fueled or clean fuel diesel buses. The older "high emission" buses will be permanently retired and sold only for scrap. This project will be administered in accordance with federal, state, and local environmental laws and regulations.

The Respondent certifies that it has no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

Passengers, drivers, and students in the area where school buses idle during transportation are subject to harmful diesel exhaust emission every school day. Apart from containing the ozone precursors nitrogen oxides ("NOx") and hydrocarbons ("HC"), diesel exhaust is known to cause or exacerbate a number of respiratory diseases, including asthma. Due to the more stringent emissions standards introduced by the Environmental Protection Agency (EPA), model 2007 and newer buses are also cleaner in terms of particulate matter (PM) emissions than model year 2004 buses. New NOx and HC standards phased in between 2007 and 2010 will

SOLUTIA INC.

Agreed Order Docket 2008-0062-AIR-E

result in new school bus engines being 72% cleaner for HC and 90% cleaner for NOx than a bus produced to meet the 2004 federal standards for these pollutants.

This SEP will provide a discernible environmental benefit by retiring high-emission buses from service, purchasing newer, clean fuel technology buses, and replacing newer buses with fuel treatment technology that reduces PM and HC.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Recipient. The Respondent shall mail a copy of the Agreed Order with the contribution to:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, TX 77227-2777

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Offset Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Offset Amount.

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

SOLUTION INC.

Agreed Order Docket 2008-0062-AIR-E

Texas Commission on Environmental Quality
Office of Legal Services
Attention: SEP Coordinator, MC 175
P.O. Box 13088
Austin, Texas 78711-3088

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.



Policy Revision 2 (September 2002)

Penalty Calculation Worksheet (PCW)

PCW Revision November 6, 2007

TCEQ

DATES	Assigned	17-Dec-2007	Screening	7-Jan-2008	EPA Due	8-Sep-2008
	PCW	3-Jun-2008				

RESPONDENT/FACILITY INFORMATION

Respondent	Solutia Inc.		
Reg. Ent. Ref. No.	RN100238682		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	35189	No. of Violations	2
Docket No.	2008-0062-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	Kimberly Morales
Multi-Media		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)

Subtotal 1 **\$3,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **158% Enhancement** Subtotals 2, 3, & 7 **\$5,530**

Notes: Enhancement due to 13 NOVs with same or similar violations, 20 NOVs with unrelated violations, including 11 monthly self-reported effluent violations, and three 1660 Agreed Orders. Reduction due to five notice of audit letters and one notice of audit with a disclosure of violation.

Culpability **No** **0% Enhancement** Subtotal 4 **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply **0% Reduction** Subtotal 5 **\$0**

	Before NOV	NOV to EDRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes: The Respondent does not meet the good faith criteria.

Total EB Amounts	\$384	0% Enhancement*	Subtotal 6	\$0
Approx. Cost of Compliance	\$6,000	*Capped at the Total EB \$ Amount		

SUM OF SUBTOTALS 1-7

Final Subtotal **\$9,030**

OTHER FACTORS AS JUSTICE MAY REQUIRE

0% Adjustment **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount **\$9,030**

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty **\$9,030**

DEFERRAL

0% Reduction Adjustment **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

No deferral offered because this is not an expedited settlement.

PAYABLE PENALTY

\$9,030

EXHIBIT

tabbles

PCW-1

Screening Date 7-Jan-2008

Docket No. 2008-0062-AIR-E

PCW

Respondent Solutia Inc.

Policy Revision 2 (September 2002)

Case ID No. 35189

PCW Revision November 6, 2007

Reg. Ent. Reference No. RN100238682

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	13	65%
	Other written NOVs	20	40%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	3	60%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgements or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	5	-5%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	1	-2%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 158%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes Enhancement due to 13 NOVs with same or similar violations, 20 NOVs with unrelated violations, including 11 monthly self-reported effluent violations, and three 1660 Agreed Orders. Reduction due to five notice of audit letters and one notice of audit with a disclosure of violation.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 158%

Screening Date 7-Jan-2008 Respondent Solutia Inc. Case ID No. 35189 Reg. Ent. Reference No. RN100238682 Media [Statute] Air Enf. Coordinator Kimberly Morales Violation Number <input type="text" value="1"/>	Docket No. 2008-0062-AIR-E <div style="text-align: right;">PCW</div> <div style="text-align: right; font-size: small;">Policy Revision 2 (September 2002) PCW Revision November 6, 2007</div>																		
Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Permit No. 38336, Special Condition No. 4																			
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Base Penalty <input style="width: 100px;" type="text" value="\$10,000"/>																			
>> Environmental, Property and Human Health Matrix																			
OR	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 10%;">Release</th> <th style="width: 10%;">Major</th> <th style="width: 10%;">Harm Moderate</th> <th style="width: 10%;">Minor</th> <th style="width: 10%;"></th> </tr> </thead> <tbody> <tr> <td>Actual</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text" value="x"/></td> <td rowspan="2" style="vertical-align: middle;">Percent <input style="width: 50px;" type="text" value="25%"/></td> </tr> <tr> <td>Potential</td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> <td><input type="text"/></td> </tr> </tbody> </table>		Release	Major	Harm Moderate	Minor		Actual	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text" value="x"/>	Percent <input style="width: 50px;" type="text" value="25%"/>	Potential	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
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	Falsification	Major	Moderate	Minor															
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	Percent <input style="width: 50px;" type="text" value="0%"/>														
Matrix Notes	Human health or the environment has been exposed to an insignificant amount of pollutants that do not exceed levels protective of human health or environmental receptors.																		
Adjustment <input style="width: 100px;" type="text" value="\$7,500"/>																			
<input style="width: 100px;" type="text" value="\$2,500"/>																			
Violation Events																			
<table style="width: 100%;"> <tr> <td style="width: 40%;">Number of Violation Events <input style="width: 50px;" type="text" value="1"/></td> <td style="width: 20%; text-align: center;"><input style="width: 50px;" type="text" value="3"/></td> <td style="width: 40%;">Number of violation days</td> </tr> </table> <table style="width: 100%;"> <tr> <td style="width: 20%; text-align: right; font-size: small;">mark only one with an x</td> <td style="width: 20%;"> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50px;">daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text"/></td></tr> <tr><td>quarterly</td><td><input type="text" value="x"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input type="text"/></td></tr> </table> </td> <td style="width: 60%; text-align: right; vertical-align: bottom;"> Violation Base Penalty <input style="width: 100px;" type="text" value="\$2,500"/> </td> </tr> </table> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> One quarterly event is recommended based on the dates the AN-7 Process Air Startup Heater was in operation during a scheduled reactor startup (February 18 - 20, 2007). </div>		Number of Violation Events <input style="width: 50px;" type="text" value="1"/>	<input style="width: 50px;" type="text" value="3"/>	Number of violation days	mark only one with an x	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50px;">daily</td><td><input type="text"/></td></tr> <tr><td>monthly</td><td><input type="text"/></td></tr> <tr><td>quarterly</td><td><input type="text" value="x"/></td></tr> <tr><td>semiannual</td><td><input type="text"/></td></tr> <tr><td>annual</td><td><input type="text"/></td></tr> <tr><td>single event</td><td><input type="text"/></td></tr> </table>	daily	<input type="text"/>	monthly	<input type="text"/>	quarterly	<input type="text" value="x"/>	semiannual	<input type="text"/>	annual	<input type="text"/>	single event	<input type="text"/>	Violation Base Penalty <input style="width: 100px;" type="text" value="\$2,500"/>
Number of Violation Events <input style="width: 50px;" type="text" value="1"/>	<input style="width: 50px;" type="text" value="3"/>	Number of violation days																	
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daily	<input type="text"/>																		
monthly	<input type="text"/>																		
quarterly	<input type="text" value="x"/>																		
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annual	<input type="text"/>																		
single event	<input type="text"/>																		
Economic Benefit (EB) for this violation																			
<table style="width: 100%;"> <tr> <td style="width: 50%;">Estimated EB Amount <input style="width: 100px;" type="text" value="\$192"/></td> <td style="width: 50%; text-align: right;"> Statutory Limit Test Violation Final Penalty Total <input style="width: 100px;" type="text" value="\$6,450"/> </td> </tr> <tr> <td colspan="2" style="text-align: right; padding-top: 10px;"> This violation Final Assessed Penalty (adjusted for limits) <input style="width: 100px;" type="text" value="\$6,450"/> </td> </tr> </table>		Estimated EB Amount <input style="width: 100px;" type="text" value="\$192"/>	Statutory Limit Test Violation Final Penalty Total <input style="width: 100px;" type="text" value="\$6,450"/>	This violation Final Assessed Penalty (adjusted for limits) <input style="width: 100px;" type="text" value="\$6,450"/>															
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Economic Benefit Worksheet

Respondent Solutia Inc.
 Case ID No. 35189
 Reg. Ent. Reference No. RN100238682
 Media Air
 Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
Delayed Costs							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$3,000	19-Feb-2007	31-May-2008	1.3	\$192	n/a	\$192

Notes for DELAYED costs

Estimated expense to demonstrate compliance with permitted limits for NOx emissions from 70H101-1. Date Required is the date of the stack test. Final Date is the date that corrective action is estimated to be completed.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$3,000

TOTAL

\$192

Screening Date 7-Jan-2008		Docket No. 2008-0062-AIR-E		PCW		
Respondent Solutia Inc.		<i>Policy Revision 2 (September 2002)</i>				
Case ID No. 35189		<i>PCW Revision November 6, 2007</i>				
Reg. Ent. Reference No. RN100238682						
Media [Statute] Air						
Enf. Coordinator Kimberly Morales						
Violation Number		<div style="border: 1px solid black; padding: 2px; text-align: center;">2</div>				
Rule Cite(s)		<div style="border: 1px solid black; padding: 2px;">30 Tex. Admin. Code § 117.8000 and Tex. Health & Safety Code § 382.085(b)</div>				
Violation Description		<div style="border: 1px solid black; padding: 2px;">Failed to test for compliance with carbon monoxide ("CO") emission limits for 70H101-1 during the reference method stack test conducted on February 19, 2007.</div>				
Base Penalty					<div style="border: 1px solid black; padding: 2px; text-align: center;">\$10,000</div>	
>> Environmental, Property and Human Health Matrix						
OR	Release		Harm		Percent	
			Major	Moderate		Minor
	Actual	Potential	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>		<div style="border: 1px solid black; width: 50px; height: 15px; text-align: center;">x</div>
					<div style="border: 1px solid black; padding: 2px; text-align: center;">10%</div>	
>> Programmatic Matrix						
	Falsification	Major	Moderate	Minor	Percent	
	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; padding: 2px; text-align: center;">0%</div>	
Matrix Notes	<div style="border: 1px solid black; padding: 2px;">Human health or the environment could be exposed to an insignificant amount of pollutants that would not exceed levels protective of human health or environmental receptors.</div>					
Adjustment					<div style="border: 1px solid black; padding: 2px; text-align: center;">\$9,000</div>	
					<div style="border: 1px solid black; padding: 2px; text-align: center;">\$1,000</div>	
Violation Events						
Number of Violation Events		<div style="border: 1px solid black; padding: 2px; text-align: center;">1</div>	Number of violation days			
		<div style="border: 1px solid black; padding: 2px; text-align: center;">322</div>				
mark only one with an x	daily	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	Violation Base Penalty			
	monthly	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>				
	quarterly	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>				
	semiannual	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>				
	annual	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>				
single event	<div style="border: 1px solid black; width: 50px; height: 15px; text-align: center;">x</div>	<div style="border: 1px solid black; padding: 2px; text-align: center;">\$1,000</div>				
<div style="border: 1px solid black; padding: 2px; text-align: center;">One single event is recommended.</div>						
Economic Benefit (EB) for this violation			Statutory Limit Test			
Estimated EB Amount		<div style="border: 1px solid black; padding: 2px; text-align: center;">\$192</div>	Violation Final Penalty Total		<div style="border: 1px solid black; padding: 2px; text-align: center;">\$2,580</div>	
This violation Final Assessed Penalty (adjusted for limits)					<div style="border: 1px solid black; padding: 2px; text-align: center;">\$2,580</div>	

Economic Benefit Worksheet

Respondent Solutia Inc.

Case ID No. 35189

Reg. Ent. Reference No. RN100238682

Media Air

Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Cost Date Required Final Date Yrs Interest Saved Onetime Costs EB Amount

Item Description - No commas or \$

Delayed Costs

Equipment			0.0	\$0	\$0	\$0
Buildings			0.0	\$0	\$0	\$0
Other (as needed)			0.0	\$0	\$0	\$0
Engineering/construction			0.0	\$0	\$0	\$0
Land			0.0	\$0	n/a	\$0
Record Keeping System			0.0	\$0	n/a	\$0
Training/Sampling			0.0	\$0	n/a	\$0
Remediation/Disposal			0.0	\$0	n/a	\$0
Permit Costs			0.0	\$0	n/a	\$0
Other (as needed)	\$3,000	19-Feb-2007	31-May-2008	1.3	\$192	\$192

Notes for DELAYED costs

Estimated expense to demonstrate compliance with permitted CO limits for 70H101-1. Date Required is the date of the stack test. Final Date is the date that corrective action is estimated to be completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal			0.0	\$0	\$0	\$0
Personnel			0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling			0.0	\$0	\$0	\$0
Supplies/equipment			0.0	\$0	\$0	\$0
Financial Assurance [2]			0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]			0.0	\$0	\$0	\$0
Other (as needed)			0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$3,000

TOTAL

\$192

Compliance History

Customer/Respondent/Owner-Operator:

CN600132856 Solutia Inc.

Classification: AVERAGE

Rating: 2.31

Regulated Entity:

RN100238682 CHOCOLATE BAYOU PLANT

Classification: AVERAGE

Site Rating: 1.61

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0038U
AIR OPERATING PERMITS	PERMIT	1258
AIR OPERATING PERMITS	PERMIT	2317
AIR OPERATING PERMITS	PERMIT	2318
AIR OPERATING PERMITS	PERMIT	2319
AIR OPERATING PERMITS	PERMIT	2320
AIR OPERATING PERMITS	PERMIT	2321
AIR OPERATING PERMITS	PERMIT	2322
AIR OPERATING PERMITS	PERMIT	2323
AIR OPERATING PERMITS	PERMIT	2324
AIR OPERATING PERMITS	PERMIT	2325
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200049
WASTEWATER	PERMIT	WQ0000001000
WASTEWATER	PERMIT	TPDES0003875
WASTEWATER	PERMIT	TX0003875
AIR NEW SOURCE PERMITS	PERMIT	2271
AIR NEW SOURCE PERMITS	PERMIT	3046
AIR NEW SOURCE PERMITS	PERMIT	5065
AIR NEW SOURCE PERMITS	PERMIT	5084
AIR NEW SOURCE PERMITS	PERMIT	5336
AIR NEW SOURCE PERMITS	PERMIT	6534
AIR NEW SOURCE PERMITS	PERMIT	8372
AIR NEW SOURCE PERMITS	PERMIT	14488
AIR NEW SOURCE PERMITS	PERMIT	18130
AIR NEW SOURCE PERMITS	PERMIT	18251
AIR NEW SOURCE PERMITS	PERMIT	28694
AIR NEW SOURCE PERMITS	PERMIT	32151
AIR NEW SOURCE PERMITS	PERMIT	34029
AIR NEW SOURCE PERMITS	PERMIT	38336
AIR NEW SOURCE PERMITS	PERMIT	38998
AIR NEW SOURCE PERMITS	PERMIT	39171
AIR NEW SOURCE PERMITS	PERMIT	39643
AIR NEW SOURCE PERMITS	PERMIT	48895
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0038U
AIR NEW SOURCE PERMITS	AFS NUM	4803900009
AIR NEW SOURCE PERMITS	EPA ID	PSDTP910
AIR NEW SOURCE PERMITS	PERMIT	18251
AIR NEW SOURCE PERMITS	REGISTRATION	75639
AIR NEW SOURCE PERMITS	REGISTRATION	76211
AIR NEW SOURCE PERMITS	REGISTRATION	71232
AIR NEW SOURCE PERMITS	EPA ID	PSDTP307A
AIR NEW SOURCE PERMITS	REGISTRATION	71063
AIR NEW SOURCE PERMITS	REGISTRATION	72689
AIR NEW SOURCE PERMITS	REGISTRATION	72545
AIR NEW SOURCE PERMITS	REGISTRATION	74040
AIR NEW SOURCE PERMITS	REGISTRATION	73707
AIR NEW SOURCE PERMITS	REGISTRATION	74788
AIR NEW SOURCE PERMITS	REGISTRATION	75318
AIR NEW SOURCE PERMITS	REGISTRATION	77064
AIR NEW SOURCE PERMITS	REGISTRATION	77079
AIR NEW SOURCE PERMITS	REGISTRATION	78148
AIR NEW SOURCE PERMITS	REGISTRATION	78728
AIR NEW SOURCE PERMITS	REGISTRATION	79253
AIR NEW SOURCE PERMITS	REGISTRATION	80379
AIR NEW SOURCE PERMITS	REGISTRATION	80616
AIR NEW SOURCE PERMITS	REGISTRATION	83109
RADIOACTIVE WASTE DISPOSAL	LICENSE	RW0219
UNDERGROUND INJECTION CONTROL	PERMIT	WDW013
UNDERGROUND INJECTION CONTROL	PERMIT	WDW224
UNDERGROUND INJECTION CONTROL	PERMIT	WDW318
UNDERGROUND INJECTION CONTROL	PERMIT	WDW326
UNDERGROUND INJECTION CONTROL	PERMIT	WDW359
UNDERGROUND INJECTION CONTROL	PERMIT	WDW002
UNDERGROUND INJECTION CONTROL	PERMIT	WDW001
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD001700806
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION #	30138
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	(SWR)	
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD001700806
STORMWATER	PERMIT	TXR050891
WATER LICENSING	LICENSE	0200049
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50189
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION #	30138
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	(SWR)	
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189

EXHIBIT

tabbles

CH-1

Location: FM 2917, ALVIN, TX, 77512
TCEQ Region: REGION 12 - HOUSTON
Date Compliance History Prepared: January 02, 2008
Agency Decision Requiring Compliance History: Enforcement
Compliance Period: January 02, 2003 to January 02, 2008
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History
Name: John Muennink Phone: (361) 825-3423

Rating Date: September 01 07 Repeat Violator: NO

Site Compliance History Components

- | | |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | N/A |
| 4. If Yes, who was/were the prior owner(s)? | N/A |
| 5. When did the change(s) in ownership occur? | N/A |

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgments, and consent decrees of the state of Texas and the federal government.

1 Effective Date: 10/10/2003 ADMINORDER 2002-0174-AIR-E
Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart G 63.120(b)(9)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to notify the TCEQ in writing 30 days in advance of seal gap measurements taken in affiliation with the 1999, 2000, and 2001 annual external floating roof tank inspection of tanks 332T1-1 and 332T1-2.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart G 63.133(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to adequately conduct the 2001 seal gap measurements and generate raw data and calculations relating to external floating roof tank 332T1-1.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC5C PERMIT

Description: Failure to conduct stack testing of incinerator 55H2 within 60 days of start-up of the facilities.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.152(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a complete periodic report. Specifically, the periodic report submitted on April 25, 2000 for the October 1999 to March 2000 reporting period did not reference or include data pertaining to incinerator EPN 55H2.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.118(f)(3)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit complete periodic reports.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)
40 CFR Part 63, Subpart G 63.120(d)(2)(i)
40 CFR Part 63, Subpart G 63.122(b)

Rqmt Prov: SC2 PERMIT

Description: Failure to have an adequate monitoring plan for absorbers 320S322-1 and 320S322-2, that ensures the absorbers are being properly operated and maintained.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT

Description: Failure to comply with the Maximum Allowable Emission Rates Table (MAERT) contained in TCEQ Air Permit No. 38336 for waste heat boiler EPN 70Z401 by emitting VOCs at 9.52 pounds per hour (lbs./hr) when the permitted limit is 8.89 lbs./hr.

2

Effective Date: 02/20/2006

ADMINORDER 2005-0555-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #39171, SC#4 PA

Description: Equistar failed to close the automatic inlet valve to the incinerator.

3

Effective Date: 11/19/2007

ADMINORDER 2005-0166-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to report the November 17, 2004 emissions event within 24 hours after its discovery. Specifically, the emissions event that was discovered on November 17, 2004 was not reported until December 22, 2004 as documented during an investigation conducted from April 22, 2005 to May 2, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 18251, SC#4 PA

Description: Failure to comply with permitted emissions limit during an emissions event on November 17, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-02317, ST&C 3A(iii) OP

Description: Failure to maintain records documenting quarterly opacity observations of tank 55T12 and scrubber 55K1, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA Unit.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records documenting the VOC concentration of the exhaust gas associated with 578T5 in order to demonstrate proper function of the carbon canister control equipment, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: NSR 2271, GC 8 PERMIT

Description: Failure to comply with the permitted short-term ammonia emissions limits for scrubber 55K1, as reported in a deviation report for the period of December 1, 2004 through May 31, 2005 for the NTA unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: NSR 2271, GC 1 PERMIT

Description: Failure to comply with the permit representations relating to annual HTMA production, annual ammonia usage, and annual ammonia production, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA unit.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to include the following emission units in the Title V application: 55S101, 55S102, 55S103, and 55S104.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to obtain authorization for the carbon absorption system on wastewater tank 57T5 prior to installation, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Condition No. 1 OP

Description: Failure to operate residue strip tank 57T34 on June 12 and 28, 2004 and August 16, 2004 within temperature ranges specified in the permit application, as reported in a deviationreport for the period of Une 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Condition No. 8 OP

Description: Failure to include all gas streams going to vent condenser 57E22 from exceeding rolling annual permitted emissions limits, as reported ina deviationreport for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18251 and N-011, SC No. 4 PA

Description: Failure to prevent unauthorized emisissions during an October 9, 2005 emissions event.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	01/23/2003	(157075)
2	01/31/2003	(22887)
3	02/07/2003	(9887)
4	02/12/2003	(24271)
5	02/18/2003	(24434)
6	02/21/2003	(157034)
7	02/26/2003	(26108)
8	02/26/2003	(25864)
9	02/26/2003	(26050)
10	02/26/2003	(25856)
11	02/26/2003	(26041)
12	02/26/2003	(25983)
13	02/26/2003	(25859)
14	02/26/2003	(26112)
15	02/26/2003	(25851)
16	02/26/2003	(25988)
17	02/26/2003	(25854)
18	02/26/2003	(26078)
19	02/27/2003	(24374)
20	03/04/2003	(23648)
21	03/12/2003	(27234)
22	03/21/2003	(157037)
23	03/28/2003	(28455)
24	04/21/2003	(157042)
25	05/20/2003	(37989)
26	05/21/2003	(157046)
27	06/20/2003	(157050)
28	07/01/2003	(36597)
29	07/22/2003	(157054)
30	08/14/2003	(148336)
31	08/14/2003	(148343)
32	08/19/2003	(149876)
33	08/21/2003	(151361)
34	08/21/2003	(151374)
35	08/25/2003	(150697)
36	08/25/2003	(294923)
37	09/11/2003	(248057)
38	09/11/2003	(248048)
39	09/23/2003	(294925)
40	10/21/2003	(294927)
41	10/27/2003	(281097)
42	10/29/2003	(253450)
43	10/29/2003	(253464)
44	11/12/2003	(253266)
45	11/12/2003	(252275)
46	11/21/2003	(294928)
47	11/25/2003	(255837)
48	11/25/2003	(255830)
49	11/25/2003	(250820)
50	11/25/2003	(255834)
51	11/25/2003	(255835)
52	12/02/2003	(255621)
53	12/18/2003	(257385)
54	12/18/2003	(257514)
55	12/23/2003	(294929)
56	01/12/2004	(258960)
57	01/12/2004	(258944)

58	01/16/2004	(255951)
59	01/23/2004	(294931)
60	02/23/2004	(294912)
61	02/26/2004	(255896)
62	02/27/2004	(262913)
63	02/27/2004	(262943)
64	02/27/2004	(263910)
65	02/27/2004	(262933)
66	02/27/2004	(262947)
67	02/27/2004	(262922)
68	03/22/2004	(294915)
69	03/29/2004	(267307)
70	03/30/2004	(332762)
71	04/12/2004	(253529)
72	04/13/2004	(265167)
73	04/16/2004	(267638)
74	04/20/2004	(294916)
75	05/25/2004	(294918)
76	06/17/2004	(273007)
77	06/21/2004	(294920)
78	07/23/2004	(351912)
79	07/30/2004	(284372)
80	08/03/2004	(283906)
81	08/19/2004	(351913)
82	08/31/2004	(271365)
83	09/01/2004	(271988)
84	09/01/2004	(270694)
85	09/01/2004	(272089)
86	09/01/2004	(289574)
87	09/20/2004	(351914)
88	09/23/2004	(334052)
89	09/23/2004	(334055)
90	10/13/2004	(337045)
91	10/13/2004	(337038)
92	10/22/2004	(351915)
93	10/22/2004	(351918)
94	11/03/2004	(333514)
95	11/03/2004	(333511)
96	11/04/2004	(351917)
97	11/05/2004	(338995)
98	11/05/2004	(337520)
99	11/16/2004	(334879)
100	11/16/2004	(340676)
101	11/16/2004	(340661)
102	11/16/2004	(339730)
103	11/16/2004	(340570)
104	11/17/2004	(340850)
105	11/22/2004	(340787)
106	11/23/2004	(341009)
107	12/09/2004	(343333)
108	12/09/2004	(343311)
109	12/10/2004	(263071)
110	12/10/2004	(260541)
111	12/10/2004	(263070)
112	12/13/2004	(262649)
113	12/14/2004	(343317)
114	12/14/2004	(343284)
115	12/15/2004	(351916)
116	12/16/2004	(336194)
117	12/17/2004	(344033)
118	12/20/2004	(338296)
119	12/20/2004	(335252)
120	12/20/2004	(338265)
121	12/22/2004	(381756)
122	12/23/2004	(336768)
123	12/28/2004	(344974)
124	12/30/2004	(343622)
125	12/30/2004	(345394)
126	01/03/2005	(343620)
127	01/03/2005	(343624)
128	01/14/2005	(345345)
129	02/14/2005	(349294)
130	02/14/2005	(348976)
131	02/21/2005	(349363)
132	02/22/2005	(381755)
133	02/24/2005	(349397)
134	02/28/2005	(347701)
135	03/24/2005	(419586)
136	04/04/2005	(349690)
137	04/06/2005	(376386)
138	04/06/2005	(376392)

139	04/06/2005	(376398)
140	04/06/2005	(376425)
141	04/06/2005	(376432)
142	04/06/2005	(376403)
143	04/08/2005	(376952)
144	04/18/2005	(419587)
145	04/19/2005	(376908)
146	04/25/2005	(377968)
147	05/11/2005	(348724)
148	05/16/2005	(380841)
149	05/23/2005	(419588)
150	05/31/2005	(379386)
151	05/31/2005	(374702)
152	05/31/2005	(379380)
153	06/08/2005	(348652)
154	06/13/2005	(345346)
155	06/23/2005	(419589)
156	06/29/2005	(394959)
157	07/19/2005	(440731)
158	07/21/2005	(398102)
159	08/16/2005	(440732)
160	08/19/2005	(404318)
161	08/24/2005	(377022)
162	08/24/2005	(405509)
163	08/24/2005	(349399)
164	08/24/2005	(405513)
165	08/25/2005	(401920)
166	08/29/2005	(401919)
167	08/30/2005	(401906)
168	09/01/2005	(401916)
169	09/19/2005	(440733)
170	10/04/2005	(379884)
171	10/11/2005	(399217)
172	10/21/2005	(433182)
173	10/21/2005	(433183)
174	10/24/2005	(468248)
175	11/28/2005	(468249)
176	12/20/2005	(435369)
177	12/20/2005	(439435)
178	12/20/2005	(468250)
179	12/30/2005	(434386)
180	01/09/2006	(439878)
181	01/23/2006	(468251)
182	01/24/2006	(440227)
183	01/24/2006	(440219)
184	01/30/2006	(438969)
185	02/14/2006	(453399)
186	02/14/2006	(453392)
187	02/16/2006	(405519)
188	02/21/2006	(438633)
189	03/03/2006	(457603)
190	03/20/2006	(498075)
191	04/17/2006	(460779)
192	04/19/2006	(451614)
193	04/24/2006	(498076)
194	04/30/2006	(468247)
195	05/12/2006	(464820)
196	05/12/2006	(464822)
197	05/12/2006	(464824)
198	05/12/2006	(464828)
199	05/12/2006	(464827)
200	05/16/2006	(457449)
201	05/17/2006	(458668)
202	05/18/2006	(451024)
203	05/18/2006	(449724)
204	05/22/2006	(498077)
205	05/31/2006	(466924)
206	05/31/2006	(466929)
207	05/31/2006	(466931)
208	05/31/2006	(466932)
209	06/05/2006	(463415)
210	06/21/2006	(467669)
211	06/21/2006	(480974)
212	06/23/2006	(498078)
213	06/29/2006	(482600)
214	06/29/2006	(482575)
215	06/29/2006	(466692)
216	07/10/2006	(464446)
217	07/20/2006	(467521)
218	07/25/2006	(485504)
219	07/26/2006	(520095)

220	08/17/2006	(497124)
221	08/21/2006	(520096)
222	08/23/2006	(486778)
223	08/31/2006	(480128)
224	09/15/2006	(511153)
225	09/21/2006	(520097)
226	10/23/2006	(544349)
227	10/27/2006	(516020)
228	10/27/2006	(516053)
229	11/08/2006	(518116)
230	11/29/2006	(531921)
231	11/29/2006	(532004)
232	11/29/2006	(544350)
233	12/07/2006	(532264)
234	12/08/2006	(531936)
235	12/11/2006	(518239)
236	12/11/2006	(518235)
237	12/27/2006	(544351)
238	01/11/2007	(532283)
239	01/18/2007	(535916)
240	01/18/2007	(536107)
241	01/22/2007	(544352)
242	01/23/2007	(536763)
243	01/30/2007	(536987)
244	01/30/2007	(536993)
245	02/16/2007	(539392)
246	02/16/2007	(539394)
247	02/16/2007	(512464)
248	02/20/2007	(539401)
249	02/21/2007	(539360)
250	02/22/2007	(539395)
251	02/22/2007	(575043)
252	02/23/2007	(539396)
253	03/12/2007	(539403)
254	03/12/2007	(539397)
255	03/12/2007	(539398)
256	03/26/2007	(575044)
257	04/12/2007	(543396)
258	04/12/2007	(543389)
259	04/12/2007	(543359)
260	04/12/2007	(543411)
261	04/12/2007	(543393)
262	04/19/2007	(575045)
263	05/23/2007	(575046)
264	06/08/2007	(543508)
265	06/13/2007	(563309)
266	06/25/2007	(575047)
267	06/26/2007	(558363)
268	07/05/2007	(565543)
269	07/05/2007	(564044)
270	07/06/2007	(560348)
271	07/23/2007	(575048)
272	08/17/2007	(571117)
273	08/17/2007	(571120)
274	08/17/2007	(571122)
275	08/17/2007	(571113)
276	08/17/2007	(571116)
277	08/22/2007	(573057)
278	08/28/2007	(566965)
279	08/28/2007	(566968)
280	08/29/2007	(572199)
281	08/30/2007	(571497)
282	09/20/2007	(607508)
283	09/27/2007	(594475)
284	09/27/2007	(593895)
285	09/28/2007	(565072)
286	10/04/2007	(565781)
287	10/16/2007	(594030)
288	10/19/2007	(607509)
289	10/31/2007	(607507)
290	11/01/2007	(598289)
291	11/01/2007	(598293)
292	11/05/2007	(597652)
293	11/06/2007	(599382)
294	12/03/2007	(595635)
295	12/14/2007	(609886)
296	12/17/2007	(599351)
297	12/17/2007	(610670)
298	12/17/2007	(599355)
299	12/20/2007	(611714)
300	12/20/2007	(611710)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

1	Date 01/31/2003 Self Report? YES Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a) Description: Failure to meet the limit for one or more permit parameter	(157034)	Classification: Moderate
2	Date 07/31/2003 Self Report? YES Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a) Description: Failure to meet the limit for one or more permit parameter	(294923)	Classification: Moderate
3	Date 10/31/2003 Self Report? YES Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a) Description: Failure to meet the limit for one or more permit parameter	(294928)	Classification: Moderate
4	Date 03/30/2004 Self Report? NO Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17) Description: NON-RPT VIOS FOR MONIT PER OR PIPE	(332762)	Classification: Moderate
5	Date 05/31/2004 Self Report? YES Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a) Description: Failure to meet the limit for one or more permit parameter	(294920)	Classification: Moderate
6	Date 11/16/2004 Self Report? NO Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b) Rqmt Prov: PERMIT 18251 and N-011, S.C No. 4 Description: Failure to operate the flare within MAERT limits	(339730)	Classification: Moderate
7	Date 11/17/2004 Self Report? NO Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b) Rqmt Prov: PERMIT 18251, S.C No.4 Description: Failure to prevent the leaks from the valves 30HIC4-A/B and caused the release of air contaminants from the emission point which is not listed in the MAERT.	(340850)	Classification: Moderate
8	Date 11/18/2004 Self Report? NO Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b) Rqmt Prov: PERMIT 18251, S.C. No.4 Description: Failure to prevent tripping of the boiler (30H5) and relit the burners in a timely manner and caused the release of air pollutants from the emission point that was not listed in the MAERT.	(341009)	Classification: Moderate
9	Date 11/22/2004 Self Report? NO Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1) Description: Failure to submit the initial notification of the emissions event within 24 hours after the start of incident.	(340787)	Classification: Moderate
10	Self Report? NO Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b) Rqmt Prov: PERMIT 32151, S.C. No.1 Description: Failure to limit the emissions from the scrubber within the MAERT limits.	(262649)	Classification: Moderate
11	Date 12/13/2004 Self Report? NO Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b) Rqmt Prov: PA TCEQ Air Permit No. 18251, SC #4 Description: Solutia failed to prevent moisture from entering the igniter unit on the flare.	(335252)	Classification: Moderate
12	Date 12/20/2004 Self Report? YES Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b) Rqmt Prov: PA TCEQ Air Permit #18251, SC #1 Description: Sterling Chemicals failed to prevent external corrosion on a pipeline.	(351918)	Classification: Moderate
13	Date 12/31/2004 Self Report? YES Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a) Description: Failure to meet the limit for one or more permit parameter	(343620)	Classification: Moderate
	Date 01/03/2005 Self Report? NO Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b) Rqmt Prov: PA TCEQ Air Permit No. 38336, SC #4 Description: Solutia inadvertently sent steam through the drain line to the process sewer increasing the pressure in the process sewer tank.	(343620)	Classification: Moderate
	Self Report? NO		Classification: Minor

	Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)		
	Description:	Failure to report an emissions event (Incident #45511) that occurred at the AN7 Unit in a timely manner.		
14	Date	02/14/2005 (348976)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Description:	Solutia failed to prevent a fire suppression discharge which resulted in a release of 145 pounds (lbs) of Halon 1301 (bromotrifluoromethane).		
15	Date	04/04/2005 (349690)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Description:	The regulated entity failed to prevent a shutdown of the AN2 waste heat boiler due to the malfunction of the valve positioner.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(8)		
	Description:	Solutia, Inc., - Chocolate Bayou Plant failed to identify on the emissions event report the permit number authorization.		
16	Date	07/21/2005 (398102)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Rqmt Prov:	PERMIT TCEQ Permit #18251, SC #4		
	Description:	Solutia failed to include the facility's authorization limit and number on the final report.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(8)		
	Description:	Solutia failed to include the facility's authorization limit and number on the final report.		
17	Date	08/24/2005 (377022)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Rqmt Prov:	PERMIT 18251 SC 4		
	Description:	Solutia failed to properly tighten a valve.		
18	Date	08/24/2005 (349399)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Rqmt Prov:	PA TCEQ Air Permit No. 38998, SC#4		
	Description:	The regulated entity failed to prevent a leak in a propylene pump.		
	Self Report?	NO	Classification:	Minor
	Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(8)		
	Description:	failed to identify the permit number representing the propylene pump in the emissions event report.		
19	Date	09/30/2005 (468248)		
	Self Report?	YES	Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
	Description:	Failure to meet the limit for one or more permit parameter		
20	Date	10/31/2005 (468249)		
	Self Report?	YES	Classification:	Moderate
	Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
	Description:	Failure to meet the limit for one or more permit parameter		
21	Date	02/16/2006 (405519)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)		
	Description:	Failure to record quarterly opacity observation on Unit ID: 350H1-1		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 115, SubChapter B 115.142(1)(E)		
	Description:	Solutia, Inc., failed to equip Unit IDs: P-10 and P-13, with a Close-Vent system.		
22	Date	02/17/2006 (405519)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(1)		
	Rqmt Prov:	PERMIT O-02325		
	Description:	Failure to comply with the requirements of 30 TEX. ADMIN. CODE Chapter 106.472(9).		
23	Date	03/02/2006 (457603)		
	Self Report?	NO	Classification:	Moderate
	Citation:	30 TAC Chapter 113, SubChapter C 113.120 30 TAC Chapter 116, SubChapter B 116.115(c) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Rqmt Prov:	PERMIT SC 2		
	Description:	Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.		
	Self Report?	NO	Classification:	Major
	Citation:	2A TWC Chapter 7, SubChapter A 7.101		
	Rqmt Prov:	ORDER Ordering Provision 3.a.		
	Description:	Failure to comply with ordering provisions of the Commission Order Docket No. 2002-0174-AIR-E.		

24	Date 07/25/2006 (485504)		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Rqmt Prov: PERMIT No. 18251, Special Condition 4		
	Description: Failure to prevent unauthorized emissions.		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)		
	Description: Failure to maintain the AN2 Flare in good working order during facility operations.		
25	Date 07/31/2006 (520096)		
	Self Report? YES	Classification: Moderate	
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
	Description: Failure to meet the limit for one or more permit parameter		
26	Date 08/31/2006 (520097)		
	Self Report? YES	Classification: Moderate	
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
	Description: Failure to meet the limit for one or more permit parameter		
27	Date 08/31/2006 (480128)		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
	Description: Failure to maintain the tank throughputs for the acetic tank and water circulating tank as represented in the permit application dated February 29, 2000 for the TCEQ Permit no. 38336.		
	Self Report? NO	Classification: Minor	
	Citation: 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
	Rqmt Prov: PERMIT 38336, Special Condition 23.E OP O-02324, Special Condition 18 OP O-02324, Special Condition 1A		
	Description: Failure to install caps/plugs/flanges on eight open-ended lines in unit 70ANFUG.		
	Self Report? NO	Classification: Minor	
	Citation: 30 TAC Chapter 115, SubChapter D 115.352(2) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2) 5C THC Chapter 382, SubChapter D 382.085(b)		
	Rqmt Prov: OP O-02324, Special Condition 1A		
	Description: Failure to conduct a first attempt at repair on 1 valve within five calendar days after a leak was detected in the AN 7 Unit.		
	Self Report? NO	Classification: Minor	
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
	Rqmt Prov: PERMIT 38336, Special Condition 12B OP O-02324, Special Condition 18		
	Description: Failure to maintain three pilots on the flare 70Z522.		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 5C THC Chapter 382, SubChapter D 382.085(b)		
	Rqmt Prov: PERMIT 38336, Special Condition 4 PERMIT 38336, Special Condition 8A OP O-02324, Special Condition 18		
	Description: Failure to maintain the NOx emissions from the boiler 70Z401 within the permit limit in the AN7 Unit.		
28	Date 11/29/2006 (532004)		
	Self Report? NO	Classification: Moderate	
	Citation: 30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
	Rqmt Prov: PERMIT No. 38998, Special Condition 4		
	Description: Failure to prevent unauthorized emissions.		
29	Date 12/31/2006 (544352)		
	Self Report? YES	Classification: Moderate	
	Citation: 30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
	Description: Failure to meet the limit for one or more permit parameter		
30	Date 02/16/2007 (512464)		
	Self Report? YES	Classification: Minor	
	Citation: 30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
	Rqmt Prov: OP FOP O-02321, SC 12 OP FOP O-02321, SC 1A PA NSR 18251 SC 14E PA NSR 18251, SC 12E		
	Description: Failure to cap 10 open-ended lines in HRVOC and HAP service.		
31	Date 02/21/2007 (539360)		

Self Report? NO

Classification: Moderate

Citation: 30 TAC Chapter 331, SubChapter D 331.63(e)

Rqmt Prov: PERMIT PROVISION VII.D.

Description: Violation of maximum injection flow rate.

32 Date 08/31/2007 (607508)

Self Report? YES

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)

30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

33 Date 09/27/2007 (594475)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)

30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)

5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP No. 2324, Spec. Cond 18

OP FOP No. 2324, Spec. Cond. 1A

PERMIT NSR Permit No. 38336, Spec. Cond. 20E

Description: Failure to seal four (4) open ended lines in VOC service during the compliance period.

F. Environmental audits.

1 Notice of Intent Date: 09/23/2004 (347742)
No DOV Associated

2 Notice of Intent Date: 01/03/2006 (453378)
No DOV Associated

3 Notice of Intent Date: 04/07/2006 (462917)
No DOV Associated

4 Notice of Intent Date: 05/25/2006 (481532)
Disclosure Date: 11/14/2006

Viol. Classification: Minor

Rqmt Prov: PERMIT 32151, SC 8A

5 Description: Failure to notify the regional office 45 days prior to schedule stack sampling for scrubber 83S14 and 83S6.

Notice of Intent Date: 04/23/2007 (559025)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision September 19, 2007

TCEQ

DATES	Assigned	4-Sep-2007	Screening	21-Sep-2007	EPA Due	25-May-2008
	PCW	15-Jan-2009				

RESPONDENT/FACILITY INFORMATION

Respondent	Solutia Inc.		
Reg. Ent. Ref. No.	RN100238682		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	34678	No. of Violations	1
Docket No.	2008-0062-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	Kimberly Morales
Multi-Media		EC's Team	EnforcementTeam 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** **\$2,500**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History **116% Enhancement** **Subtotals 2, 3, & 7** **\$2,900**

Notes Penalty enhancement due to two 1660 agreed orders, five same or similar NOV's, and 29 non-similar NOV's of which 11 were self-reported effluent violations. Penalty reduction for 5 Notice of Audits and one Disclosure of Violation.

Culpability **No** **0% Enhancement** **Subtotal 4** **\$0**

Notes The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply **10% Reduction** **Subtotal 5** **\$250**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		X
N/A		(mark with x)

Notes The Respondent completed the corrective actions on September 24, 2007.

Total EB Amounts **\$17** **0% Enhancement*** **Subtotal 6** **\$0**
Approx. Cost of Compliance **\$200** ***Capped at the Total EB \$ Amount**

SUM OF SUBTOTALS 1-7 **Final Subtotal** **\$5,150**

OTHER FACTORS AS JUSTICE MAY REQUIRE **0%** **Adjustment** **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount **\$5,150**

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty **\$5,150**

DEFERRAL

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

No deferral offered because the case is not expedited.

PAYABLE PENALTY **\$5,150**

EXHIBIT

tabbles

PCW-2

Screening Date 21-Sep-2007

Docket No. 2008-0062-AIR-E

PCW

Respondent Solutia Inc.

Policy Revision 2 (September 2002)

Case ID No. 34678

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN100238682

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	5	25%
	Other written NOVs	29	58%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	5	-5%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	1	-2%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 116%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes Penalty enhancement due to two 1660 agreed orders, five same or similar NOVs, and 29 non-similar NOVs of which 11 were self-reported effluent violations. Penalty reduction for 5 Notice of Audits and one Disclosure of Violation.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 116%

Screening Date 21-Sep-2007

Docket No. 2008-0062-AIR-E

PCW

Respondent Solutia Inc.

Policy Revision 2 (September 2002)

Case ID No. 34678

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN100238682

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code §§ 122.143(4), 122.145(2)(A), 122.146(1), Operating Permit No. O-02319, General Terms and Conditions and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit the Annual Compliance Certification for the period between November 29, 2004 through November 28, 2005, with the required certification language. In addition, Solutia failed to identify this deficiency in the semi-annual deviation report for time period of November 28, 2005 through May 28, 2006.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 25%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

547 Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$2,500

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$17

Violation Final Penalty Total \$5,150

This violation Final Assessed Penalty (adjusted for limits) \$5,150

Economic Benefit Worksheet

Respondent Solutia Inc.

Case ID No. 34678

Reg. Ent. Reference No. RN100238682

Media Air

Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$200	28-Dec-2005	24-Sep-2007	1.7	\$17	n/a	\$17
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for training to ensure that certifications are submitted correctly and on time. Date required is the date the report was due. Revised certification was submitted on June 28, 2007. Final date is the date when the training was completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$17

Compliance History

Customer/Respondent/Owner-Operator:	CN600132856	Solutia Inc.	Classification: AVERAGE	Rating: 2.31
Regulated Entity:	RN100238682	CHOCOLATE BAYOU PLANT	Classification: AVERAGE	Site Rating: 1.61
ID Number(s):				
	AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0038U	
	AIR OPERATING PERMITS	PERMIT	1258	
	AIR OPERATING PERMITS	PERMIT	2317	
	AIR OPERATING PERMITS	PERMIT	2318	
	AIR OPERATING PERMITS	PERMIT	2319	
	AIR OPERATING PERMITS	PERMIT	2320	
	AIR OPERATING PERMITS	PERMIT	2321	
	AIR OPERATING PERMITS	PERMIT	2322	
	AIR OPERATING PERMITS	PERMIT	2323	
	AIR OPERATING PERMITS	PERMIT	2324	
	AIR OPERATING PERMITS	PERMIT	2325	
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200049	
	WASTEWATER	PERMIT	WQ0000001000	
	WASTEWATER	PERMIT	TPDES0003875	
	WASTEWATER	PERMIT	TX0003875	
	AIR NEW SOURCE PERMITS	REGISTRATION	83875	
	AIR NEW SOURCE PERMITS	PERMIT	2271	
	AIR NEW SOURCE PERMITS	PERMIT	3046	
	AIR NEW SOURCE PERMITS	PERMIT	5065	
	AIR NEW SOURCE PERMITS	PERMIT	5084	
	AIR NEW SOURCE PERMITS	PERMIT	5336	
	AIR NEW SOURCE PERMITS	PERMIT	6534	
	AIR NEW SOURCE PERMITS	PERMIT	8372	
	AIR NEW SOURCE PERMITS	PERMIT	14488	
	AIR NEW SOURCE PERMITS	PERMIT	18130	
	AIR NEW SOURCE PERMITS	PERMIT	18251	
	AIR NEW SOURCE PERMITS	PERMIT	28694	
	AIR NEW SOURCE PERMITS	PERMIT	32151	
	AIR NEW SOURCE PERMITS	PERMIT	34029	
	AIR NEW SOURCE PERMITS	PERMIT	38336	
	AIR NEW SOURCE PERMITS	PERMIT	38998	
	AIR NEW SOURCE PERMITS	PERMIT	39171	
	AIR NEW SOURCE PERMITS	PERMIT	39643	
	AIR NEW SOURCE PERMITS	PERMIT	48895	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0038U	
	AIR NEW SOURCE PERMITS	REGISTRATION	75639	
	AIR NEW SOURCE PERMITS	REGISTRATION	76211	
	AIR NEW SOURCE PERMITS	AFS NUM	4803900009	
	AIR NEW SOURCE PERMITS	REGISTRATION	71232	
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX307A	
	AIR NEW SOURCE PERMITS	REGISTRATION	71063	
	AIR NEW SOURCE PERMITS	EPA ID	PSDTP910	
	AIR NEW SOURCE PERMITS	REGISTRATION	72689	
	AIR NEW SOURCE PERMITS	REGISTRATION	72545	
	AIR NEW SOURCE PERMITS	REGISTRATION	74040	
	AIR NEW SOURCE PERMITS	REGISTRATION	73707	
	AIR NEW SOURCE PERMITS	REGISTRATION	74788	
	AIR NEW SOURCE PERMITS	REGISTRATION	75318	
	AIR NEW SOURCE PERMITS	REGISTRATION	77064	
	AIR NEW SOURCE PERMITS	REGISTRATION	77079	
	AIR NEW SOURCE PERMITS	REGISTRATION	78148	
	AIR NEW SOURCE PERMITS	REGISTRATION	78728	
	AIR NEW SOURCE PERMITS	REGISTRATION	79253	
	AIR NEW SOURCE PERMITS	REGISTRATION	80379	
	AIR NEW SOURCE PERMITS	REGISTRATION	80616	
	AIR NEW SOURCE PERMITS	REGISTRATION	83109	
	RADIOACTIVE WASTE DISPOSAL	LICENSE	RW0219	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW013	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW224	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW318	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW326	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW359	

EXHIBIT

tabbles

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UNDERGROUND INJECTION CONTROL	PERMIT	WDW002
UNDERGROUND INJECTION CONTROL	PERMIT	WDW001
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD001700806
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30138
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD001700806
STORMWATER	PERMIT	TXR050891
WATER LICENSING	LICENSE	0200049
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50189
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30138
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189

Location: FM 2917, ALVIN, TX, 77512 Rating Date: 9/1/2007 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: January 23, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: September 10, 2002 to September 10, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: NHameed Phone: 713-767-3629

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 10/10/2003

ADMINORDER 2002-0174-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Part 63, Subpart G 63.120(b)(9)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to notify the TCEQ in writing 30 days in advance of seal gap measurements taken in affiliation with the 1999, 2000, and 2001 annual external floating roof tank inspection of tanks 332T1-1 and 332T1-2.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Part 63, Subpart G 63.133(d)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to adequately conduct the 2001 seal gap measurements and generate raw data and

calculations relating to external floating roof tank 332T1-1.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC5C PERMIT

Description: Failure to conduct stack testing of incinerator 55H2 within 60 days of start-up of the facilities.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.152(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a complete periodic report. Specifically, the periodic report submitted on April 25, 2000 for the October 1999 to March 2000 reporting period did not reference or include data pertaining to incinerator EPN 55H2.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.118(f)(3)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit complete periodic reports.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)
40 CFR Part 63, Subpart G 63.120(d)(2)(i)
40 CFR Part 63, Subpart G 63.122(b)

Rqmt Prov: SC2 PERMIT

Description: Failure to have an adequate monitoring plan for absorbers 320S322-1 and 320S322-2, that ensures the absorbers are being properly operated and maintained.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT

Description: Failure to comply with the Maximum Allowable Emission Rates Table (MAERT) contained in TCEQ Air Permit No. 38336 for waste heat boiler EPN 70Z401 by emitting VOCs at 9.52 pounds per hour (lbs./hr) when the permitted limit is 8.89 lbs./hr.

Effective Date: 02/20/2006

ADMINORDER 2005-0555-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #39171, SC#4 PA

Description: Equistar failed to close the automatic inlet valve to the incinerator.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	09/20/2002	(157060)
2	10/08/2002	(13170)
3	10/21/2002	(157063)
4	11/19/2002	(13812)
5	11/22/2002	(157067)
6	12/03/2002	(9849)
7	12/10/2002	(16608)
8	12/11/2002	(15178)
9	12/27/2002	(157071)
10	01/23/2003	(157075)
11	01/31/2003	(22887)
12	02/07/2003	(9887)
13	02/12/2003	(24271)
14	02/18/2003	(24434)
15	02/21/2003	(157034)
16	02/26/2003	(26108)
17	02/26/2003	(25864)
18	02/26/2003	(26050)

19	02/26/2003	(25856)
20	02/26/2003	(26041)
21	02/26/2003	(25983)
22	02/26/2003	(25859)
23	02/26/2003	(26112)
24	02/26/2003	(25851)
25	02/26/2003	(25988)
26	02/26/2003	(25854)
27	02/26/2003	(26078)
28	02/27/2003	(24374)
29	03/04/2003	(23648)
30	03/12/2003	(27234)
31	03/21/2003	(157037)
32	03/28/2003	(28455)
33	04/21/2003	(157042)
34	05/20/2003	(37989)
35	05/21/2003	(157046)
36	06/20/2003	(157050)
37	07/01/2003	(36597)
38	07/22/2003	(157054)
39	08/14/2003	(148336)
40	08/14/2003	(148343)
41	08/19/2003	(149876)
42	08/21/2003	(151361)
43	08/21/2003	(151374)
44	08/25/2003	(150697)
45	08/25/2003	(294923)
46	09/11/2003	(248057)
47	09/11/2003	(248048)
48	09/23/2003	(294925)
49	10/21/2003	(294927)
50	10/27/2003	(281097)
51	10/29/2003	(253450)
52	10/29/2003	(253464)
53	11/12/2003	(253266)
54	11/12/2003	(252275)
55	11/21/2003	(294928)
56	11/25/2003	(255837)
57	11/25/2003	(255830)
58	11/25/2003	(250820)
59	11/25/2003	(255834)
60	11/25/2003	(255835)
61	12/02/2003	(255621)
62	12/18/2003	(257385)
63	12/18/2003	(257514)
64	12/23/2003	(294929)
65	01/12/2004	(258960)
66	01/12/2004	(258944)
67	01/16/2004	(255951)
68	01/23/2004	(294931)
69	02/23/2004	(294912)
70	02/26/2004	(255896)
71	02/27/2004	(262913)
72	02/27/2004	(262943)
73	02/27/2004	(263910)
74	02/27/2004	(262933)
75	02/27/2004	(262947)
76	02/27/2004	(262922)
77	03/22/2004	(294915)
78	03/29/2004	(267307)
79	03/30/2004	(332762)
80	04/12/2004	(253529)
81	04/13/2004	(265167)
82	04/16/2004	(267638)
83	04/20/2004	(294916)
84	05/25/2004	(294918)
85	06/17/2004	(273007)
86	06/21/2004	(294920)

87	07/23/2004	(351912)
88	07/30/2004	(284372)
89	08/03/2004	(283906)
90	08/19/2004	(351913)
91	08/31/2004	(271365)
92	09/01/2004	(271988)
93	09/01/2004	(270694)
94	09/01/2004	(272089)
95	09/01/2004	(289574)
96	09/20/2004	(351914)
97	09/23/2004	(334052)
98	09/23/2004	(334055)
99	10/13/2004	(337045)
100	10/13/2004	(337038)
101	10/22/2004	(351915)
102	10/22/2004	(351918)
103	11/03/2004	(333514)
104	11/03/2004	(333511)
105	11/04/2004	(351917)
106	11/05/2004	(338995)
107	11/05/2004	(337520)
108	11/16/2004	(334879)
109	11/16/2004	(340676)
110	11/16/2004	(340661)
111	11/16/2004	(339730)
112	11/16/2004	(340570)
113	11/17/2004	(340850)
114	11/22/2004	(340787)
115	11/23/2004	(341009)
116	12/09/2004	(343333)
117	12/09/2004	(343311)
118	12/10/2004	(263071)
119	12/10/2004	(260541)
120	12/10/2004	(263070)
121	12/13/2004	(262649)
122	12/14/2004	(343317)
123	12/14/2004	(343284)
124	12/15/2004	(351916)
125	12/16/2004	(336194)
126	12/17/2004	(344033)
127	12/20/2004	(338296)
128	12/20/2004	(335252)
129	12/20/2004	(338265)
130	12/22/2004	(381756)
131	12/23/2004	(336768)
132	12/28/2004	(344974)
133	12/30/2004	(343622)
134	12/30/2004	(345394)
135	01/03/2005	(343620)
136	01/03/2005	(343624)
137	01/14/2005	(345345)
138	02/14/2005	(349294)
139	02/14/2005	(348976)
140	02/21/2005	(349363)
141	02/22/2005	(381755)
142	02/24/2005	(349397)
143	02/28/2005	(347701)
144	03/24/2005	(419586)
145	04/04/2005	(349690)
146	04/06/2005	(376386)
147	04/06/2005	(376392)
148	04/06/2005	(376398)
149	04/06/2005	(376425)
150	04/06/2005	(376432)
151	04/06/2005	(376403)
152	04/08/2005	(376952)
153	04/18/2005	(419587)
154	04/19/2005	(376908)

155	04/25/2005	(377968)
156	05/11/2005	(348724)
157	05/16/2005	(380841)
158	05/23/2005	(419588)
159	05/31/2005	(379386)
160	05/31/2005	(374702)
161	05/31/2005	(379380)
162	06/08/2005	(348652)
163	06/13/2005	(345346)
164	06/23/2005	(419589)
165	06/29/2005	(394959)
166	07/19/2005	(440731)
167	07/21/2005	(398102)
168	08/16/2005	(440732)
169	08/19/2005	(404318)
170	08/24/2005	(377022)
171	08/24/2005	(405509)
172	08/24/2005	(349399)
173	08/24/2005	(405513)
174	08/25/2005	(401920)
175	08/29/2005	(401919)
176	08/30/2005	(401906)
177	09/01/2005	(401916)
178	09/19/2005	(440733)
179	10/04/2005	(379884)
180	10/11/2005	(399217)
181	10/21/2005	(433182)
182	10/21/2005	(433183)
183	10/24/2005	(468248)
184	11/28/2005	(468249)
185	12/20/2005	(435369)
186	12/20/2005	(439435)
187	12/20/2005	(468250)
188	12/30/2005	(434386)
189	01/09/2006	(439878)
190	01/23/2006	(468251)
191	01/24/2006	(440227)
192	01/24/2006	(440219)
193	01/30/2006	(438969)
194	02/14/2006	(453399)
195	02/14/2006	(453392)
196	02/16/2006	(405519)
197	02/21/2006	(438633)
198	03/03/2006	(457603)
199	03/20/2006	(498075)
200	04/17/2006	(460779)
201	04/19/2006	(451614)
202	04/24/2006	(498076)
203	04/30/2006	(468247)
204	05/12/2006	(464820)
205	05/12/2006	(464822)
206	05/12/2006	(464824)
207	05/12/2006	(464828)
208	05/12/2006	(464827)
209	05/16/2006	(457449)
210	05/17/2006	(458668)
211	05/18/2006	(451024)
212	05/18/2006	(449724)
213	05/22/2006	(498077)
214	05/31/2006	(466924)
215	05/31/2006	(466929)
216	05/31/2006	(466931)
217	05/31/2006	(466932)
218	06/05/2006	(463415)
219	06/21/2006	(467669)
220	06/21/2006	(480974)
221	06/23/2006	(498078)
222	06/29/2006	(482600)

223	06/29/2006	(482575)
224	06/29/2006	(466692)
225	07/10/2006	(464446)
226	07/20/2006	(467521)
227	07/25/2006	(485504)
228	07/26/2006	(520095)
229	08/17/2006	(497124)
230	08/21/2006	(520096)
231	08/23/2006	(486778)
232	08/31/2006	(480128)
233	09/15/2006	(511153)
234	09/21/2006	(520097)
235	10/23/2006	(544349)
236	10/27/2006	(516020)
237	10/27/2006	(516053)
238	11/08/2006	(518116)
239	11/29/2006	(531921)
240	11/29/2006	(532004)
241	11/29/2006	(544350)
242	12/07/2006	(532264)
243	12/08/2006	(531936)
244	12/11/2006	(518239)
245	12/11/2006	(518235)
246	12/27/2006	(544351)
247	01/11/2007	(532283)
248	01/18/2007	(535916)
249	01/18/2007	(536107)
250	01/22/2007	(544352)
251	01/23/2007	(536763)
252	01/30/2007	(536987)
253	01/30/2007	(536993)
254	02/16/2007	(539392)
255	02/16/2007	(539394)
256	02/16/2007	(512464)
257	02/20/2007	(539401)
258	02/21/2007	(539360)
259	02/22/2007	(539395)
260	02/22/2007	(575043)
261	02/23/2007	(539396)
262	03/12/2007	(539403)
263	03/12/2007	(539397)
264	03/12/2007	(539398)
265	03/26/2007	(575044)
266	04/12/2007	(543396)
267	04/12/2007	(543389)
268	04/12/2007	(543359)
269	04/12/2007	(543411)
270	04/12/2007	(543393)
271	04/19/2007	(575045)
272	05/23/2007	(575046)
273	06/08/2007	(543508)
274	06/13/2007	(563309)
275	06/25/2007	(575047)
276	06/26/2007	(558363)
277	07/05/2007	(565543)
278	07/05/2007	(564044)
279	07/06/2007	(560348)
280	07/23/2007	(575048)
281	08/17/2007	(571117)
282	08/17/2007	(571120)
283	08/17/2007	(571122)
284	08/17/2007	(571113)
285	08/17/2007	(571116)
286	08/22/2007	(573057)
287	08/28/2007	(566965)
288	08/28/2007	(566968)
289	08/29/2007	(572199)
290	08/30/2007	(571497)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	09/30/2002	(157063)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	12/03/2002	(9849)	Classification:	Minor
Self Report?	NO			
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)			
Description:	failed to conduct audio, olfactory, and visual checks for Hydrogen Fluoride (HF) leaks within the operating area for both the shifts (day and night) on September 29, 2002 and the day shift on July 22, 2002 as required by their TCEQ Air Permit No. 6534, Special Condition (SC) 13 A.			
Self Report?	NO		Classification:	Minor
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c)			
Description:	failed to record pH values of caustic scrubber liquor effluent on 8/28/00, 9/4/00, 10/31/00, 11/11/00, 11/13/00, 11/14/00, 12/28/00, 2/20/01, 3/6/01, 4/18/01, 6/17/01, 6/18/01, 7/27/01, 7/28/01, 8/01/01, and 10/4/01 as required by their TCEQ Air Permit No. 6534, Special Condition (SC) 4.			
Date:	12/27/2002	(142104)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 113, SubChapter C 113.120			
Description:	SOCMI-VNTS. VESSL.,VW			
Date:	01/31/2003	(157034)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	07/31/2003	(294923)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	10/31/2003	(294928)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	03/30/2004	(332762)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17)			
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE			
Date:	05/31/2004	(294920)	Classification:	Moderate
Self Report?	YES			
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	11/16/2004	(339730)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT 18251 and N-011, S.C No. 4			
Description:	Failure to operate the flare within MAERT limits			
Date:	11/17/2004	(340850)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT 18251, S.C No.4			
Description:	Failure to prevent the leaks from the valves 30HIC4-A/B and caused the release of air contaminants from the emission point which is not listed in the MAERT.			
Date:	11/18/2004	(341009)	Classification:	Moderate
Self Report?	NO			
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT 18251, S.C. No.4			
Description:	Failure to prevent tripping of the boiler (30H5) and relit the burners in a timely manner and caused the release of air pollutants from the emission point that was			

not listed in the MAERT.

Date: 11/22/2004 (340787)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)

Description: Failure to submit the initial notification of the emissions event within 24 hours after the start of incident.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 32151, S.C. No.1

Description: Failure to limit the emissions from the scrubber within the MAERT limits.

Date: 12/13/2004 (262649)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA TCEQ Air Permit No. 18251, SC #4

Description: Solutia failed to prevent moisture from entering the igniter unit on the flare.

Date: 12/20/2004 (335252)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA TCEQ Air Permit #18251, SC #1

Description: Sterling Chemicals failed to prevent external corrosion on a pipeline.

Date: 12/31/2004 (351918)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter

Date: 01/03/2005 (343620)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA TCEQ Air Permit No. 38336, SC #4

Description: Solutia inadvertently sent steam through the drain line to the process sewer increasing the pressure in the process sewer tank.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: Failure to report an emissions event (Incident #45511) that occurred at the AN7 Unit in a timely manner.

Date: 02/14/2005 (348976)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Solutia failed to prevent a fire suppression discharge which resulted in a release of 145 pounds (lbs) of Halon 1301 (bromotrifluoromethane).

Date: 04/04/2005 (349690)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The regulated entity failed to prevent a shutdown of the AN2 waste heat boiler due to the malfunction of the valve positioner.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)

Description: Solutia, Inc., - Chocolate Bayou Plant failed to identify on the emissions event report the permit number authorization.

Date: 07/21/2005 (398102)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT TCEQ Permit #18251, SC #4

Description: Solutia failed to include the facility's authorization limit and number on the final report.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)

Description: Solutia failed to include the facility's authorization limit and number on the final report.

Date: 08/24/2005 (377022)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

Rqmt Prov:	5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	PERMIT 18251 SC 4		
Date:	08/24/2005 (349399)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PA TCEQ Air Permit No. 38998, SC#4		
Description:	The regulated entity failed to prevent a leak in a propylene pump.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(8)		
Description:	failed to identify the permit number representing the propylene pump in the emissions event report.		
Date:	09/30/2005 (468248)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	10/31/2005 (468249)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	02/16/2006 (405519)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)		
Description:	Failure to record quarterly opacity observation on Unit ID: 350H1-1		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.142(1)(E)		
Description:	Solutia, Inc., failed to equip Unit IDs: P-10 and P-13, with a Close-Vent system.		
Date:	02/17/2006 (405519)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(1)		
Rqmt Prov:	PERMIT O-02325		
Description:	Failure to comply with the requirements of 30 TEX. ADMIN. CODE Chapter 106.472(9).		
Date:	03/02/2006 (457603)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.120 30 TAC Chapter 116, SubChapter B 116.115(c) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT SC 2		
Description:	Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.		
Self Report?	NO	Classification:	Major
Citation:	2A TWC Chapter 7, SubChapter A 7.101		
Rqmt Prov:	ORDER Ordering Provision 3.a.		
Description:	Failure to comply with ordering provisions of the Commission Order Docket No. 2002-0174-AIR-E.		
Date:	07/25/2006 (485504)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT No. 18251, Special Condition 4		
Description:	Failure to prevent unauthorized emissions.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.221(a)		
Description:	Failure to maintain the AN2 Flare in good working order during facility operations.		
Date:	07/31/2006 (520096)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2006 (520097)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		

Description: Failure to meet the limit for one or more permit parameter
 Date: 08/31/2006 (480128)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to maintain the tank throughputs for the acetic tank and water circulating tank as represented in the permit application dated February 29, 2000 for the TCEQ Permit no. 38336.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 38336, Special Condition 23.E
 OP O-02324, Special Condition 18
 OP O-02324, Special Condition 1A
 Description: Failure to install caps/plugs/flanges on eight open-ended lines in unit 70ANFUG.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02324, Special Condition 1A
 Description: Failure to conduct a first attempt at repair on 1 valve within five calendar days after a leak was detected in the AN 7 Unit.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 38336, Special Condition 12B
 OP O-02324, Special Condition 18
 Description: Failure to maintain three pilots on the flare 70Z522.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 38336, Special Condition 4
 PERMIT 38336, Special Condition 8A
 OP O-02324, Special Condition 18
 Description: Failure to maintain the NOx emissions from the boiler 70Z401 within the permit limit in the AN7 Unit.
 Date: 11/29/2006 (532004)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No. 38998, Special Condition 4
 Description: Failure to prevent unauthorized emissions.
 Date: 12/31/2006 (544352)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 02/16/2007 (512464)
 Self Report? YES Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP FOP O-02321, SC 12
 OP FOP O-02321, SC 1A
 PA NSR 18251 SC 14E
 PA NSR 18251, SC 12E
 Description: Failure to cap 10 open-ended lines in HRVOC and HAP service.
 Date: 02/21/2007 (539360)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 331, SubChapter D 331.63(e)
 Rqmt Prov: PERMIT PROVISION VII.D.
 Description: Violation of maximum injection flow rate.
 Date: 08/31/2007 (607508)

Self Report? YES

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

F. Environmental audits.

Notice of Intent Date: 09/23/2004 (347742)
No DOV Associated

Notice of Intent Date: 01/03/2006 (453378)
No DOV Associated

Notice of Intent Date: 04/07/2006 (462917)
No DOV Associated

Notice of Intent Date: 05/25/2006 (481532)
Disclosure Date: 11/14/2006

Viol. Classification: Minor

Rqmt Prov: PERMIT 32151, SC 8A

Description: Failure to notify the regional office 45 days prior to schedule stack sampling for scrubber 83S14 and 83S6.

Notice of Intent Date: 04/23/2007 (559025)
No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision September 19, 2007

TCEQ

DATES	Assigned	22-Oct-2007	Screening	29-Oct-2007	EPA Due	
	PCW	3-Jun-2008				

RESPONDENT/FACILITY INFORMATION

Respondent	Solutia Inc.		
Reg. Ent. Ref. No.	RN100238682		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	34886	No. of Violations	2
Docket No.	2008-0062-AIR-E	Order Type	1660
Media Program(s)	Air	Enf. Coordinator	Kimberly Morales
Multi-Media		EC's Team	Enforcement Team 5
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$2,600

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 140% Enhancement **Subtotals 2, 3, & 7** \$3,640

Notes Penalty enhancement due to two 1660 agreed orders, 13 same or similar NOV's, and 21 non-similar NOV's of which 10 were self-reported effluent violations. Penalty reduction for 5 Notice of Audits and one Disclosure of Violation.

Culpability No 0% Enhancement **Subtotal 4** \$0

Notes The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 10% Reduction **Subtotal 5** \$260

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		X
N/A		(mark with x)

Notes The Respondent completed the corrective actions on November 9, 2007.

Total EB Amounts \$10 **Subtotal 6** \$0
Approx. Cost of Compliance \$1,000 ***Capped at the Total EB \$ Amount**

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$5,980

OTHER FACTORS AS JUSTICE MAY REQUIRE 0% **Adjustment** \$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount \$5,980

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$5,980

DEFERRAL Reduction **Adjustment** \$0

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

No deferral offered because the case is not expedited.

PAYABLE PENALTY \$5,980

EXHIBIT

tabbles

PCW-3

Screening Date 29-Oct-2007

Docket No. 2008-0062-AIR-E

PCW

Respondent Solutia Inc.

Policy Revision 2 (September 2002)

Case ID No. 34886

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN100238682

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
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NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	13	65%
	Other written NOVs	21	42%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	2	40%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	5	-5%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	1	-2%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 140%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

Penalty enhancement due to two 1660 agreed orders, 13 same or similar NOVs, and 21 non-similar NOVs of which 10 were self-reported effluent violations. Penalty reduction for 5 Notice of Audits and one Disclosure of Violation.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 140%

Screening Date 29-Oct-2007

Docket No. 2008-0062-AIR-E

PCW

Respondent Solutia Inc.

Policy Revision 2 (September 2002)

Case ID No. 34886

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN100238682

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Air Permit No.18251, Special Condition No. 4 and
Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to prevent unauthorized emissions. Specifically, 98.7 pounds ("lbs") of hydrogen cyanide, 357.4 lbs of acrylonitrile, and 5 lbs of acrolein were released when the Respondent failed to open the manual block valve during crossover of Acrylonitrile Unit 3 off gas to the Acrylonitrile Unit 2 Waste Heat Boiler resulting in the over pressure of the system, causing an emissions event which began on August 5, 2007, and lasted for five minutes (Incident No. 95610). Since this emissions event was avoidable and reported late, the demonstrations in 30 Tex. Admin. Code § 101.222 necessary to present an affirmative defense were not met.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant amounts of pollutants which do not exceed levels that are protective of human health or environmental receptors as a result of the violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

1 Number of violation days

mark only one
with an x

daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$2,500

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$7

Violation Final Penalty Total \$5,750

This violation Final Assessed Penalty (adjusted for limits) \$5,750

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 34886
Reg. Ent. Reference No. RN100238682
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$500	5-Aug-2007	9-Nov-2007	0.3	\$7	n/a	\$7

Notes for DELAYED costs

Estimated cost for changes in procedure and training to ensure that the operators respond in a timely manner to the need for manual opening of these valves. Date required is the date of the emissions event. Final date is the date when the training was completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$500

TOTAL

\$7

Screening Date 29-Oct-2007

Docket No. 2008-0062-AIR-E

PCW

Respondent Solutia Inc.

Policy Revision 2 (September 2002)

Case ID No. 34886

PCW Revision September 19, 2007

Reg. Ent. Reference No. RN100238682

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 2

Rule Cite(s)

30 Tex. Admin. Code § 101.201(a)(1)(B) and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to submit the initial notification within 24 hours of the discovery of the emissions event (Incident No. 95610) which started and ended on August 5, 2007. The initial notification was not submitted until August 8, 2007.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
			x

Percent 1%

Matrix Notes

At least 70% of the rule requirement was met.

Adjustment \$9,900

\$100

Violation Events

Number of Violation Events 1

2

Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	
	semiannual	
	annual	
	single event	x

Violation Base Penalty \$100

One single event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$4

Violation Final Penalty Total \$230

This violation Final Assessed Penalty (adjusted for limits) \$230

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 34886
Reg. Ent. Reference No. RN100238682
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling	\$500	6-Aug-2007	2-Oct-2007	0.2	\$4	n/a	\$4
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)				0.0	\$0	n/a	\$0

Notes for DELAYED costs

Estimated cost for training to ensure that reports are submitted on time. Date required is the date the report was due. Report was submitted on August 8, 2007. Final date is the date when the training was completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

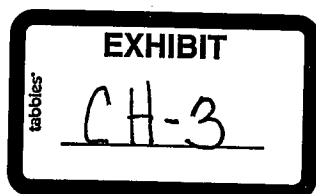
\$500

TOTAL

\$4

Compliance History

Customer/Respondent/Owner-Operator:	CN600132856	Solutia Inc.	Classification: AVERAGE	Rating: 2.31
Regulated Entity:	RN100238682	CHOCOLATE BAYOU PLANT	Classification: AVERAGE	Site Rating: 1.61
ID Number(s):				
	AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0038U	
	AIR OPERATING PERMITS	PERMIT	1258	
	AIR OPERATING PERMITS	PERMIT	2317	
	AIR OPERATING PERMITS	PERMIT	2318	
	AIR OPERATING PERMITS	PERMIT	2319	
	AIR OPERATING PERMITS	PERMIT	2320	
	AIR OPERATING PERMITS	PERMIT	2321	
	AIR OPERATING PERMITS	PERMIT	2322	
	AIR OPERATING PERMITS	PERMIT	2323	
	AIR OPERATING PERMITS	PERMIT	2324	
	AIR OPERATING PERMITS	PERMIT	2325	
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200049	
	WASTEWATER	PERMIT	WQ0000001000	
	WASTEWATER	PERMIT	TPDES0003875	
	WASTEWATER	PERMIT	TX0003875	
	AIR NEW SOURCE PERMITS	PERMIT	2271	
	AIR NEW SOURCE PERMITS	PERMIT	3046	
	AIR NEW SOURCE PERMITS	PERMIT	5065	
	AIR NEW SOURCE PERMITS	PERMIT	5084	
	AIR NEW SOURCE PERMITS	PERMIT	5336	
	AIR NEW SOURCE PERMITS	PERMIT	6534	
	AIR NEW SOURCE PERMITS	PERMIT	8372	
	AIR NEW SOURCE PERMITS	PERMIT	14488	
	AIR NEW SOURCE PERMITS	PERMIT	18130	
	AIR NEW SOURCE PERMITS	PERMIT	18251	
	AIR NEW SOURCE PERMITS	PERMIT	28694	
	AIR NEW SOURCE PERMITS	PERMIT	32151	
	AIR NEW SOURCE PERMITS	PERMIT	34029	
	AIR NEW SOURCE PERMITS	PERMIT	38336	
	AIR NEW SOURCE PERMITS	PERMIT	38998	
	AIR NEW SOURCE PERMITS	PERMIT	39171	
	AIR NEW SOURCE PERMITS	PERMIT	39643	
	AIR NEW SOURCE PERMITS	PERMIT	48895	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0038U	
	AIR NEW SOURCE PERMITS	AFS NUM	4803900009	
	AIR NEW SOURCE PERMITS	EPA ID	PSDTXP910	
	AIR NEW SOURCE PERMITS	REGISTRATION	75639	
	AIR NEW SOURCE PERMITS	REGISTRATION	76211	
	AIR NEW SOURCE PERMITS	REGISTRATION	71232	
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX307A	
	AIR NEW SOURCE PERMITS	REGISTRATION	71063	
	AIR NEW SOURCE PERMITS	REGISTRATION	72689	
	AIR NEW SOURCE PERMITS	REGISTRATION	72545	
	AIR NEW SOURCE PERMITS	REGISTRATION	74040	
	AIR NEW SOURCE PERMITS	REGISTRATION	73707	
	AIR NEW SOURCE PERMITS	REGISTRATION	74788	
	AIR NEW SOURCE PERMITS	REGISTRATION	75318	
	AIR NEW SOURCE PERMITS	REGISTRATION	77064	
	AIR NEW SOURCE PERMITS	REGISTRATION	77079	
	AIR NEW SOURCE PERMITS	REGISTRATION	78148	
	AIR NEW SOURCE PERMITS	REGISTRATION	78728	
	AIR NEW SOURCE PERMITS	REGISTRATION	79253	
	AIR NEW SOURCE PERMITS	REGISTRATION	80379	
	AIR NEW SOURCE PERMITS	REGISTRATION	80616	
	AIR NEW SOURCE PERMITS	REGISTRATION	83109	
	RADIOACTIVE WASTE	LICENSE	RW0219	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW013	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW224	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW318	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW326	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW359	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW002	



UNDERGROUND INJECTION CONTROL	PERMIT	WDW001
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD001700806
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30138
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD001700806
STORMWATER	PERMIT	TXR05O891
WATER LICENSING	LICENSE	0200049
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50189
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30138
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189

Location: FM 2917, ALVIN, TX, 77512 Rating Date: 9/1/2007 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: October 26, 2007

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: October 23, 2002 to October 23, 2007

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: NHameed Phone: 713-767-3629

Site Compliance History Components

- | | |
|--|------------|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)? | <u>N/A</u> |
| 5. When did the change(s) in ownership occur? | <u>N/A</u> |

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 10/10/2003 ADMINORDER 2002-0174-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart G 63.120(b)(9)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to notify the TCEQ in writing 30 days in advance of seal gap measurements taken in affiliation with the 1999, 2000, and 2001 annual external floating roof tank inspection of tanks 332T1-1 and 332T1-2.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart G 63.133(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to adequately conduct the 2001 seal gap measurements and generate raw data and calculations relating to external floating roof tank 332T1-1.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC5C PERMIT

Description: Failure to conduct stack testing of incinerator 55H2 within 60 days of start-up of the facilities.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.152(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a complete periodic report. Specifically, the periodic report submitted on April 25, 2000 for the October 1999 to March 2000 reporting period did not reference or include data pertaining to incinerator EPN 55H2.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.118(f)(3)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit complete periodic reports.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)
40 CFR Part 63, Subpart G 63.120(d)(2)(i)
40 CFR Part 63, Subpart G 63.122(b)

Rqmt Prov: SC2 PERMIT

Description: Failure to have an adequate monitoring plan for absorbers 320S322-1 and 320S322-2, that ensures the absorbers are being properly operated and maintained.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)[G]
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT

Description: Failure to comply with the Maximum Allowable Emission Rates Table (MAERT) contained in TCEQ Air Permit No. 38336 for waste heat boiler EPN 70Z401 by emitting VOCs at 9.52 pounds per hour (lbs./hr) when the permitted limit is 8.89 lbs./hr.

Effective Date: 02/20/2006

ADMINORDER 2005-0555-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #39171, SC#4 PA

Description: Equistar failed to close the automatic inlet valve to the incinerator.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	11/19/2002	(13812)
2	11/22/2002	(157067)
3	12/03/2002	(9849)
4	12/10/2002	(16608)
5	12/11/2002	(15178)
6	12/27/2002	(157071)
7	01/23/2003	(157075)
8	01/31/2003	(22887)
9	02/07/2003	(9887)
10	02/12/2003	(24271)
11	02/18/2003	(24434)
12	02/21/2003	(157034)
13	02/26/2003	(26108)
14	02/26/2003	(25864)
15	02/26/2003	(26050)
16	02/26/2003	(25856)
17	02/26/2003	(26041)
18	02/26/2003	(25983)
19	02/26/2003	(25859)

20	02/26/2003	(26112)
21	02/26/2003	(25851)
22	02/26/2003	(25988)
23	02/26/2003	(25854)
24	02/26/2003	(26078)
25	02/27/2003	(24374)
26	03/04/2003	(23648)
27	03/12/2003	(27234)
28	03/21/2003	(157037)
29	03/28/2003	(28455)
30	04/21/2003	(157042)
31	05/20/2003	(37989)
32	05/21/2003	(157046)
33	06/20/2003	(157050)
34	07/01/2003	(36597)
35	07/22/2003	(157054)
36	08/14/2003	(148336)
37	08/14/2003	(148343)
38	08/19/2003	(149876)
39	08/21/2003	(151361)
40	08/21/2003	(151374)
41	08/25/2003	(150697)
42	08/25/2003	(294923)
43	09/11/2003	(248057)
44	09/11/2003	(248048)
45	09/23/2003	(294925)
46	10/21/2003	(294927)
47	10/27/2003	(281097)
48	10/29/2003	(253450)
49	10/29/2003	(253464)
50	11/12/2003	(253266)
51	11/12/2003	(252275)
52	11/21/2003	(294928)
53	11/25/2003	(255837)
54	11/25/2003	(255830)
55	11/25/2003	(250820)
56	11/25/2003	(255834)
57	11/25/2003	(255835)
58	12/02/2003	(255621)
59	12/18/2003	(257385)
60	12/18/2003	(257514)
61	12/23/2003	(294929)
62	01/12/2004	(258960)
63	01/12/2004	(258944)
64	01/16/2004	(255951)
65	01/23/2004	(294931)
66	02/23/2004	(294912)
67	02/26/2004	(255896)
68	02/27/2004	(262913)
69	02/27/2004	(262943)
70	02/27/2004	(263910)
71	02/27/2004	(262933)
72	02/27/2004	(262947)
73	02/27/2004	(262922)
74	03/22/2004	(294915)
75	03/29/2004	(267307)
76	03/30/2004	(332762)
77	04/12/2004	(253529)
78	04/13/2004	(265167)
79	04/16/2004	(267638)
80	04/20/2004	(294916)
81	05/25/2004	(294918)
82	06/17/2004	(273007)
83	06/21/2004	(294920)
84	07/23/2004	(351912)
85	07/30/2004	(284372)
86	08/03/2004	(283906)
87	08/19/2004	(351913)

88	08/31/2004	(271365)
89	09/01/2004	(271988)
90	09/01/2004	(270694)
91	09/01/2004	(272089)
92	09/01/2004	(289574)
93	09/20/2004	(351914)
94	09/23/2004	(334052)
95	09/23/2004	(334055)
96	10/13/2004	(337045)
97	10/13/2004	(337038)
98	10/22/2004	(351915)
99	10/22/2004	(351918)
100	11/03/2004	(333514)
101	11/03/2004	(333511)
102	11/04/2004	(351917)
103	11/05/2004	(338995)
104	11/05/2004	(337520)
105	11/16/2004	(334879)
106	11/16/2004	(340676)
107	11/16/2004	(340661)
108	11/16/2004	(339730)
109	11/16/2004	(340570)
110	11/17/2004	(340850)
111	11/22/2004	(340787)
112	11/23/2004	(341009)
113	12/09/2004	(343333)
114	12/09/2004	(343311)
115	12/10/2004	(263071)
116	12/10/2004	(260541)
117	12/10/2004	(263070)
118	12/13/2004	(262649)
119	12/14/2004	(343317)
120	12/14/2004	(343284)
121	12/15/2004	(351916)
122	12/16/2004	(336194)
123	12/17/2004	(344033)
124	12/20/2004	(338296)
125	12/20/2004	(335252)
126	12/20/2004	(338265)
127	12/22/2004	(381756)
128	12/23/2004	(336768)
129	12/28/2004	(344974)
130	12/30/2004	(343622)
131	12/30/2004	(345394)
132	01/03/2005	(343620)
133	01/03/2005	(343624)
134	01/14/2005	(345345)
135	02/14/2005	(349294)
136	02/14/2005	(348976)
137	02/21/2005	(349363)
138	02/22/2005	(381755)
139	02/24/2005	(349397)
140	02/28/2005	(347701)
141	03/24/2005	(419586)
142	04/04/2005	(349690)
143	04/06/2005	(376386)
144	04/06/2005	(376392)
145	04/06/2005	(376398)
146	04/06/2005	(376425)
147	04/06/2005	(376432)
148	04/06/2005	(376403)
149	04/08/2005	(376952)
150	04/18/2005	(419587)
151	04/19/2005	(376908)
152	04/25/2005	(377968)
153	05/11/2005	(348724)
154	05/16/2005	(380841)
155	05/23/2005	(419588)

156	05/31/2005	(379386)
157	05/31/2005	(374702)
158	05/31/2005	(379380)
159	06/08/2005	(348652)
160	06/13/2005	(345346)
161	06/23/2005	(419589)
162	06/29/2005	(394959)
163	07/19/2005	(440731)
164	07/21/2005	(398102)
165	08/16/2005	(440732)
166	08/19/2005	(404318)
167	08/24/2005	(377022)
168	08/24/2005	(405509)
169	08/24/2005	(349399)
170	08/24/2005	(405513)
171	08/25/2005	(401920)
172	08/29/2005	(401919)
173	08/30/2005	(401906)
174	09/01/2005	(401916)
175	09/19/2005	(440733)
176	10/04/2005	(379884)
177	10/11/2005	(399217)
178	10/21/2005	(433182)
179	10/21/2005	(433183)
180	10/24/2005	(468248)
181	11/28/2005	(468249)
182	12/20/2005	(435369)
183	12/20/2005	(439435)
184	12/20/2005	(468250)
185	12/30/2005	(434386)
186	01/09/2006	(439878)
187	01/23/2006	(468251)
188	01/24/2006	(440227)
189	01/24/2006	(440219)
190	01/30/2006	(438969)
191	02/14/2006	(453399)
192	02/14/2006	(453392)
193	02/16/2006	(405519)
194	02/21/2006	(438633)
195	03/03/2006	(457603)
196	03/20/2006	(498075)
197	04/17/2006	(460779)
198	04/19/2006	(451614)
199	04/24/2006	(498076)
200	04/30/2006	(468247)
201	05/12/2006	(464820)
202	05/12/2006	(464822)
203	05/12/2006	(464824)
204	05/12/2006	(464828)
205	05/12/2006	(464827)
206	05/16/2006	(457449)
207	05/17/2006	(458668)
208	05/18/2006	(451024)
209	05/18/2006	(449724)
210	05/22/2006	(498077)
211	05/31/2006	(466924)
212	05/31/2006	(466929)
213	05/31/2006	(466931)
214	05/31/2006	(466932)
215	06/05/2006	(463415)
216	06/21/2006	(467669)
217	06/21/2006	(480974)
218	06/23/2006	(498078)
219	06/29/2006	(482600)
220	06/29/2006	(482575)
221	06/29/2006	(466692)
222	07/10/2006	(464446)
223	07/20/2006	(467521)

224	07/25/2006	(485504)
225	07/26/2006	(520095)
226	08/17/2006	(497124)
227	08/21/2006	(520096)
228	08/23/2006	(486778)
229	08/31/2006	(480128)
230	09/15/2006	(511153)
231	09/21/2006	(520097)
232	10/23/2006	(544349)
233	10/27/2006	(516020)
234	10/27/2006	(516053)
235	11/08/2006	(518116)
236	11/29/2006	(531921)
237	11/29/2006	(532004)
238	11/29/2006	(544350)
239	12/07/2006	(532264)
240	12/08/2006	(531936)
241	12/11/2006	(518239)
242	12/11/2006	(518235)
243	12/27/2006	(544351)
244	01/11/2007	(532283)
245	01/18/2007	(535916)
246	01/18/2007	(536107)
247	01/22/2007	(544352)
248	01/23/2007	(536763)
249	01/30/2007	(536987)
250	01/30/2007	(536993)
251	02/16/2007	(539392)
252	02/16/2007	(539394)
253	02/16/2007	(512464)
254	02/20/2007	(539401)
255	02/21/2007	(539360)
256	02/22/2007	(539395)
257	02/22/2007	(575043)
258	02/23/2007	(539396)
259	03/12/2007	(539403)
260	03/12/2007	(539397)
261	03/12/2007	(539398)
262	03/26/2007	(575044)
263	04/12/2007	(543396)
264	04/12/2007	(543389)
265	04/12/2007	(543359)
266	04/12/2007	(543411)
267	04/12/2007	(543393)
268	04/19/2007	(575045)
269	05/23/2007	(575046)
270	06/08/2007	(543508)
271	06/13/2007	(563309)
272	06/25/2007	(575047)
273	06/26/2007	(558363)
274	07/05/2007	(565543)
275	07/05/2007	(564044)
276	07/06/2007	(560348)
277	07/23/2007	(575048)
278	08/17/2007	(571117)
279	08/17/2007	(571120)
280	08/17/2007	(571122)
281	08/17/2007	(571113)
282	08/17/2007	(571116)
283	08/22/2007	(573057)
284	08/28/2007	(566965)
285	08/28/2007	(566968)
286	08/29/2007	(572199)
287	08/30/2007	(571497)
288	09/27/2007	(594475)
289	09/27/2007	(593895)
290	09/28/2007	(565072)
291	10/04/2007	(565781)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date: 12/03/2002 (9849)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: failed to conduct audio, olfactory, and visual checks for Hydrogen Fluoride (HF) leaks within the operating area for both the shifts (day and night) on September 29, 2002 and the day shift on July 22, 2002 as required by their TCEQ Air Permit No. 6534, Special Condition (SC) 13 A.

Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 Description: failed to record pH values of caustic scrubber liquor effluent on 8/28/00, 9/4/00, 10/31/00, 11/11/00, 11/13/00, 11/14/00, 12/28/00, 2/20/01, 3/6/01, 4/18/01, 6/17/01, 6/18/01, 7/27/01, 7/28/01, 8/01/01, and 10/4/01 as required by their TCEQ Air Permit No. 6534, Special Condition (SC) 4.

Date: 12/27/2002 (142104)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 Description: SOCM-VNTS. VESSL.,VWV
 Date: 01/31/2003 (157034)

Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 07/31/2003 (294923)

Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 10/31/2003 (294928)

Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 03/30/2004 (332762)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(17)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 05/31/2004 (294920)

Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)[G]
 Description: Failure to meet the limit for one or more permit parameter
 Date: 11/16/2004 (339730)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18251 and N-011, S.C No. 4
 Description: Failure to operate the flare within MAERT limits
 Date: 11/17/2004 (340850)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18251, S.C No.4
 Description: Failure to prevent the leaks from the valves 30HIC4-A/B and caused the release of air contaminants from the emission point which is not listed in the MAERT.
 Date: 11/18/2004 (341009)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18251, S.C. No.4
 Description: Failure to prevent tripping of the boiler (30H5) and relit the burners in a timely manner and caused the release of air pollutants from the emission point that was not listed in the MAERT.
 Date: 11/22/2004 (340787)

Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)[G]

Description: Failure to submit the initial notification of the emissions event within 24 hours after the start of incident.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 32151, S.C. No.1

Description: Failure to limit the emissions from the scrubber within the MAERT limits.

Date: 12/13/2004 (262649)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA TCEQ Air Permit No. 18251, SC #4

Description: Solutia failed to prevent moisture from entering the igniter unit on the flare.

Date: 12/20/2004 (335252)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA TCEQ Air Permit #18251, SC #1

Description: Sterling Chemicals failed to prevent external corrosion on a pipeline.

Date: 12/31/2004 (351918)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 01/03/2005 (343620)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PA TCEQ Air Permit No. 38336, SC #4

Description: Solutia inadvertently sent steam through the drain line to the process sewer increasing the pressure in the process sewer tank.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

Description: Failure to report an emissions event (Incident #45511) that occurred at the AN7 Unit in a timely manner.

Date: 02/14/2005 (348976)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Solutia failed to prevent a fire suppression discharge which resulted in a release of 145 pounds (lbs) of Halon 1301 (bromotrifluoromethane).

Date: 04/04/2005 (349690)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: The regulated entity failed to prevent a shutdown of the AN2 waste heat boiler due to the malfunction of the valve positioner.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)

Description: Solutia, Inc., - Chocolate Bayou Plant failed to identify on the emissions event report the permit number authorization.

Date: 07/21/2005 (398102)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT TCEQ Permit #18251, SC #4

Description: Solutia failed to include the facility's authorization limit and number on the final report.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)

Description: Solutia failed to include the facility's authorization limit and number on the final report.

Date: 08/24/2005 (377022)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT 18251 SC 4

Description: Solutia failed to properly tighten a valve.

Date: 08/24/2005 (349399)

Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PA TCEQ Air Permit No. 38998, SC#4		
Description:	The regulated entity failed to prevent a leak in a propylene pump.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(8)		
Description:	failed to identify the permit number representing the propylene pump in the emissions event report.		
Date:	09/30/2005 (468248)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	10/31/2005 (468249)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	02/16/2006 (405519)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)		
Description:	Failure to record quarterly opacity observation on Unit ID: 350H1-1		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.142(1)(E)		
Description:	Solutia, Inc., failed to equipt Unit IDs:P-10 and P-13, with a Close-Vent system.		
Date:	02/17/2006 (405519)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(1)		
Rqmt Prov:	PERMIT O-02325		
Description:	Failure to comply with the requirements of 30 TEX. ADMIN. CODE Chapter 106.472(9).		
Date:	03/02/2006 (457603)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.120 30 TAC Chapter 116, SubChapter B 116.115(c) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT SC 2		
Description:	Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.		
Self Report?	NO	Classification:	Major
Citation:	2A TWC Chapter 7, SubChapter A 7.101		
Rqmt Prov:	ORDER Ordering Provision 3.a.		
Description:	Failure to comply with ordering provisions of the Commission Order Docket No. 2002-0174-AIR-E.		
Date:	07/25/2006 (485504)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT No. 18251, Special Condition 4		
Description:	Failure to prevent unauthorized emissions.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.221(a)		
Description:	Failure to maintain the AN2 Flare in good working order during facility operations.		
Date:	07/31/2006 (520096)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2006 (520097)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)[G]		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2006 (480128)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.116(a)(1)		

Description: 5C THC Chapter 382, SubChapter D 382.085(b)
Failure to maintain the tank throughputs for the acetic tank and water circulating tank as represented in the permit application dated February 29, 2000 for the TCEQ Permit no. 38336.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 38336, Special Condition 23.E
OP O-02324, Special Condition 18
OP O-02324, Special Condition 1A

Description: Failure to install caps/plugs/flanges on eight open-ended lines in unit 70ANFUG.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02324, Special Condition 1A

Description: Failure to conduct a first attempt at repair on 1 valve within five calendar days after a leak was detected in the AN 7 Unit.

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 38336, Special Condition 12B
OP O-02324, Special Condition 18

Description: Failure to maintain three pilots on the flare 70Z522.

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 38336, Special Condition 4
PERMIT 38336, Special Condition 8A
OP O-02324, Special Condition 18

Description: Failure to maintain the NOx emissions from the boiler 70Z401 within the permit limit in the AN7 Unit.

Date: 11/29/2006 (532004)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT No. 38998, Special Condition 4

Description: Failure to prevent unauthorized emissions.

Date: 12/31/2006 (544352)

Self Report? YES Classification: Moderate

Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)[G]

Description: Failure to meet the limit for one or more permit parameter

Date: 02/16/2007 (512464)

Self Report? YES Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-02321, SC 12
OP FOP O-02321, SC 1A
PA NSR 18251 SC 14E
PA NSR 18251, SC 12E

Description: Failure to cap 10 open-ended lines in HRVOC and HAP service.

Date: 02/21/2007 (539360)

Self Report? NO Classification: Moderate

Citation: 30 TAC Chapter 331, SubChapter D 331.63(e)

Rqmt Prov: PERMIT PROVISION VII.D.

Description: Violation of maximum injection flow rate.

Date: 09/27/2007 (594475)

Self Report? NO Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)

Rqmt Prov: 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
OP FOP No. 2324, Spec. Cond 18
OP FOP No. 2324, Spec. Cond. 1A
PERMIT NSR Permit No. 38336, Spec. Cond. 20E
Description: Failure to seal four (4) open ended lines in VOC service during the compliance period.

F. Environmental audits.

Notice of Intent Date: 09/23/2004 (347742)
No DOV Associated

Notice of Intent Date: 01/03/2006 (453378)
No DOV Associated

Notice of Intent Date: 04/07/2006 (462917)
No DOV Associated

Notice of Intent Date: 05/25/2006 (481532)
Disclosure Date: 11/14/2006

Viol. Classification: Minor

Rqmt Prov: PERMIT 32151, SC 8A

Description: Failure to notify the regional office 45 days prior to schedule stack sampling for scrubber 83S14 and 83S6.

Notice of Intent Date: 04/23/2007 (559025)
No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision January 29, 2008

TCEQ

DATES	Assigned	4-Feb-2008	Screening	3-Mar-2008	EPA Due	9-Dec-2008
	PCW	27-Mar-2009				

RESPONDENT/FACILITY INFORMATION

Respondent	Solutia Inc.		
Reg. Ent. Ref. No.	RN100238682		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	35488	No. of Violations	2	
Docket No.	2008-0062-AIR-E	Order Type	1660	
Media Program(s)	Air	Enf. Coordinator	Kimberly Morales	
Multi-Media		EC's Team	Enforcement Team 5	
Admin. Penalty \$	Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) Subtotal 1 **\$5,000**

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 186% Enhancement Subtotals 2, 3, & 7 **\$9,300**

Notes: The Respondent has received 15 NOVs for the same or similar violations, 19 NOVs for non-similar violations, four 1660 Orders, and has submitted five NOIs and one DOV in the past five years.

Culpability No 0% Enhancement Subtotal 4 **\$0**

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply 0% Reduction Subtotal 5 **\$0**

	Before NOV	NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	X	(mark with x)

Notes: The Respondent does not meet the good faith criteria.

Total EB Amounts \$158 **0% Enhancement*** Subtotal 6 **\$0**
Approx. Cost of Compliance \$3,000 ***Capped at the Total EB \$ Amount**

SUM OF SUBTOTALS 1-7 Final Subtotal **\$14,300**

OTHER FACTORS AS JUSTICE MAY REQUIRE 0% Adjustment **\$0**

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes:

Final Penalty Amount **\$14,300**

STATUTORY LIMIT ADJUSTMENT Final Assessed Penalty **\$14,300**

DEFERRAL Reduction Adjustment **\$0**

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes:

Deferral not offered for non-expedited settlement.

PAYABLE PENALTY **\$14,300**

EXHIBIT

tabbies

PCW-4

Screening Date 3-Mar-2008

Docket No. 2008-0062-AIR-E

PCW

Respondent Solutia Inc.

Policy Revision 2 (September 2002)

Case ID No. 35488

PCW Revision January 29, 2008

Reg. Ent. Reference No. RN100238682

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
-----------	--------------	-------------------	---------

NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	15	75%
	Other written NOVs	19	38%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	5	-5%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	1	-2%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 186%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

The Respondent has received 15 NOVs for the same or similar violations, 19 NOVs for non-similar violations, four 1660 Orders, and has submitted five NOIs and one DOV in the past five years.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 186%

Screening Date 3-Mar-2008

Docket No. 2008-0062-AIR-E

PCW

Respondent Solutia Inc.

Policy Revision 2 (September 2002)

Case ID No. 35488

PCW Revision January 29, 2008

Reg. Ent. Reference No. RN100238682

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number

1

Rule Cite(s)

30 Tex. Admin. Code § 116.115(c); Tex. Health & Safety Code § 382.085(b); and Air Permit No. 18251, Special Condition 4

Violation Description

Failed to prevent an unauthorized emissions event which occurred on September 26, 2007, as documented during an investigation conducted on December 4, 2007. Specifically, approximately 189 pounds ("lbs") of acrylonitrile ("AN"), 308 lbs of hydrogen cyanide ("HCN"), and 258 lbs of volatile organic compounds ("VOCs") were released from emission point number ("EPN") 30H5 during the 36 minute event. The emission limits for AN, HCN and VOCs are 2.09, 1.26 and 12.04 lbs per hour, respectively. Since the emissions event was avoidable, it does not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222(b)(1-11).

Base Penalty

\$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			X
Potential			

Percent 25%

>> Programmatic Matrix

Falsification			
	Major	Moderate	Minor

Percent 0%

Matrix Notes

The emissions event resulted in the release of an insignificant amount of pollutants which does not exceed protective levels.

Adjustment

\$7,500

\$2,500

Violation Events

Number of Violation Events 1

1

Number of violation days

mark only one with an x	daily	
	monthly	
	quarterly	X
	semiannual	
	annual	
	single event	

Violation Base Penalty

\$2,500

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount

\$83

Violation Final Penalty Total

\$7,150

This violation Final Assessed Penalty (adjusted for limits)

\$7,150

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 35488
Reg. Ent. Reference No. RN100238682
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,500	26-Sep-2007	1-Nov-2008	1.1	\$83	n/a	\$83

Notes for DELAYED costs

Estimated cost to provide training to prevent reoccurrence. Date required is the date of the event and final date is when compliance is expected to be achieved.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$83

Screening Date 3-Mar-2008

Docket No. 2008-0062-AIR-E

PCW

Respondent Solutia Inc.

Policy Revision 2 (September 2002)

Case ID No. 35488

PCW Revision January 29, 2008

Reg. Ent. Reference No. RN100238682

Media [Statute] Air

Enf. Coordinator Kimberly Morales

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c); Tex. Health & Safety Code § 382.085(b); and Air Permit No. 18251, Special Condition 4

Violation Description

Failed to prevent an unauthorized emissions event which occurred on October 30, 2007, as documented during an investigation conducted on January 31, 2008. Specifically, approximately 99 lbs of AN, 210 lbs of HCN, and 535 lbs of VOCs were released from EPN 30H5 during the one hour and nine minute event. The emission limits for AN, HCN and VOCs are 2.09, 1.26 and 12.04 lbs per hour, respectively. Since the emissions event was avoidable, it does not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222(b)(1-11).

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

The emissions event resulted in the release of an insignificant amount of pollutants which does not exceed protective levels.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 1

1

Number of violation days

mark only one
with an x

daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$2,500

One quarterly event is recommended.

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$76

Violation Final Penalty Total \$7,150

This violation Final Assessed Penalty (adjusted for limits) \$7,150

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 35488
Reg. Ent. Reference No. RN100238682
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$1,500	30-Oct-2007	1-Nov-2008	1.0	\$76	n/a	\$76

Notes for DELAYED costs

Estimated cost to provide training to prevent reoccurrence. Date required is the date of the event and final date is when compliance is expected to be achieved.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,500

TOTAL

\$76

Compliance History

Customer/Respondent/Owner-Operator:

CN600132856 Solutia Inc.

Classification: AVERAGE

Rating: 2.31

Regulated Entity:

RN100238682 CHOCOLATE BAYOU PLANT

Classification: AVERAGE

Site Rating: 1.61

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0038U
AIR OPERATING PERMITS	PERMIT	1258
AIR OPERATING PERMITS	PERMIT	2317
AIR OPERATING PERMITS	PERMIT	2318
AIR OPERATING PERMITS	PERMIT	2319
AIR OPERATING PERMITS	PERMIT	2320
AIR OPERATING PERMITS	PERMIT	2321
AIR OPERATING PERMITS	PERMIT	2322
AIR OPERATING PERMITS	PERMIT	2323
AIR OPERATING PERMITS	PERMIT	2324
AIR OPERATING PERMITS	PERMIT	2325
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200049
WASTEWATER	PERMIT	WQ0000001000
WASTEWATER	PERMIT	TPDES0003875
WASTEWATER	PERMIT	TX0003875
AIR NEW SOURCE PERMITS	REGISTRATION	83875
AIR NEW SOURCE PERMITS	PERMIT	2271
AIR NEW SOURCE PERMITS	PERMIT	3046
AIR NEW SOURCE PERMITS	PERMIT	5065
AIR NEW SOURCE PERMITS	PERMIT	5084
AIR NEW SOURCE PERMITS	PERMIT	5336
AIR NEW SOURCE PERMITS	PERMIT	6534
AIR NEW SOURCE PERMITS	PERMIT	8372
AIR NEW SOURCE PERMITS	PERMIT	14488
AIR NEW SOURCE PERMITS	PERMIT	18130
AIR NEW SOURCE PERMITS	PERMIT	18251
AIR NEW SOURCE PERMITS	PERMIT	28694
AIR NEW SOURCE PERMITS	PERMIT	32151
AIR NEW SOURCE PERMITS	PERMIT	34029
AIR NEW SOURCE PERMITS	PERMIT	38336
AIR NEW SOURCE PERMITS	PERMIT	38998
AIR NEW SOURCE PERMITS	PERMIT	39171
AIR NEW SOURCE PERMITS	PERMIT	39643
AIR NEW SOURCE PERMITS	PERMIT	48895
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0038U
AIR NEW SOURCE PERMITS	REGISTRATION	75639
AIR NEW SOURCE PERMITS	REGISTRATION	76211
AIR NEW SOURCE PERMITS	AFS NUM	4803900009
AIR NEW SOURCE PERMITS	REGISTRATION	71232
AIR NEW SOURCE PERMITS	EPA ID	PSDTX307A
AIR NEW SOURCE PERMITS	REGISTRATION	71063
AIR NEW SOURCE PERMITS	EPA ID	PSDTP910
AIR NEW SOURCE PERMITS	REGISTRATION	72689
AIR NEW SOURCE PERMITS	REGISTRATION	72545
AIR NEW SOURCE PERMITS	REGISTRATION	74040
AIR NEW SOURCE PERMITS	REGISTRATION	73707
AIR NEW SOURCE PERMITS	REGISTRATION	74788
AIR NEW SOURCE PERMITS	REGISTRATION	75318
AIR NEW SOURCE PERMITS	REGISTRATION	77064
AIR NEW SOURCE PERMITS	REGISTRATION	77079
AIR NEW SOURCE PERMITS	REGISTRATION	78148
AIR NEW SOURCE PERMITS	REGISTRATION	78728
AIR NEW SOURCE PERMITS	REGISTRATION	79253
AIR NEW SOURCE PERMITS	REGISTRATION	80379
AIR NEW SOURCE PERMITS	REGISTRATION	80616
AIR NEW SOURCE PERMITS	REGISTRATION	83109
RADIOACTIVE WASTE DISPOSAL	LICENSE	RW0219
UNDERGROUND INJECTION CONTROL	PERMIT	WDW013
UNDERGROUND INJECTION CONTROL	PERMIT	WDW224
UNDERGROUND INJECTION CONTROL	PERMIT	WDW318
UNDERGROUND INJECTION CONTROL	PERMIT	WDW326

EXHIBIT

tabbles

CH-4

UNDERGROUND INJECTION CONTROL	PERMIT	WDW359
UNDERGROUND INJECTION CONTROL	PERMIT	WDW002
UNDERGROUND INJECTION CONTROL	PERMIT	WDW001
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD001700806
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30138
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD001700806
STORMWATER	PERMIT	TXR050891
WATER LICENSING	LICENSE	0200049
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50189
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30138
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189

Location: FM 2917, ALVIN, TX, 77512 Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: March 03, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: March 03, 2003 to March 03, 2008

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Audra Ruble Phone: (361) 825-3126

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

N/A Effective Date: 10/10/2003 ADMINORDER 2002-0174-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart G 63.120(b)(9)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to notify the TCEQ in writing 30 days in advance of seal gap measurements taken in affiliation with the 1999, 2000, and 2001 annual external floating roof tank inspection of tanks 332T1-1 and 332T1-2.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120

30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart G 63.133(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to adequately conduct the 2001 seal gap measurements and generate raw data and calculations relating to external floating roof tank 332T1-1.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC5C PERMIT

Description: Failure to conduct stack testing of incinerator 55H2 within 60 days of start-up of the facilities.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.152(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a complete periodic report. Specifically, the periodic report submitted on April 25, 2000 for the October 1999 to March 2000 reporting period did not reference or include data pertaining to incinerator EPN 55H2.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.118(f)(3)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit complete periodic reports.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)
40 CFR Part 63, Subpart G 63.120(d)(2)(i)
40 CFR Part 63, Subpart G 63.122(b)

Rqmt Prov: SC2 PERMIT

Description: Failure to have an adequate monitoring plan for absorbers 320S322-1 and 320S322-2, that ensures the absorbers are being properly operated and maintained.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT

Description: Failure to comply with the Maximum Allowable Emission Rates Table (MAERT) contained in TCEQ Air Permit No. 38336 for waste heat boiler EPN 70Z401 by emitting VOCs at 9.52 pounds per hour (lbs./hr) when the permitted limit is 8.89 lbs./hr.

Effective Date: 02/20/2006

ADMINORDER 2005-0555-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #39171, SC#4 PA

Description: Equistar failed to close the automatic inlet valve to the incinerator.

Effective Date: 11/19/2007

ADMINORDER 2005-0166-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to report the November 17, 2004 emissions event within 24 hours after its discovery. Specifically, the emissions event that was discovered on November 17, 2004 was not reported until December 22, 2004 as documented during an investigation conducted from April 22, 2005 to May 2, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 18251, SC#4 PA

Description: Failure to comply with permitted emissions limit during an emissions event on November 17, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-02317, ST&C 3A(iii) OP

Description: Failure to maintain records documenting quarterly opacity observations of tank 55T12 and scrubber 55K1, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA Unit.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records documenting the VOC concentration of the exhaust gas associated with 578T5 in order to demonstrate proper function of the carbon canister control equipment, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: NSR 2271, GC 8 PERMIT

Description: Failure to comply with the permitted short-term ammonia emissions limits for scrubber 55K1, as reported in a deviation report for the period of December 1, 2004 through May 31, 2005 for the NTA unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: NSR 2271, GC 1 PERMIT

Description: Failure to comply with the permit representations relating to annual HTMA production, annual ammonia usage, and annual ammonia production, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA unit.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to include the following emission units in the Title V application: 55S101, 55S102, 55S103, and 55S104.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to obtain authorization for the carbon absorption system on wastewater tank 57T5 prior to installation, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Condition No. 1 OP

Description: Failure to operate residue strip tank 57T34 on June 12 and 28, 2004 and August 16, 2004 within temperature ranges specified in the permit application, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Condition No. 8 OP

Description: Failure to include all gas streams going to vent condenser 57E22 from exceeding rolling annual permitted emissions limits, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18251 and N-011, SC No. 4 PA

Description: Failure to prevent unauthorized emissions during an October 9, 2005 emissions event.

Effective Date: 01/28/2008

ADMINORDER 2006-1599-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #18251, SC #4 PA

Description: Failure to prevent unauthorized emissions during a January 11, 2004 emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to report an emissions event within 24 hours after its discovery.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to report an emissions event within 24 hours after its discovery.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: Permit No. 18251, SC No. 4 PERMIT
 Description: Failure to prevent unauthorized emissions during an emissions event that started on November 15, 2004.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: TCEQ Air Permit No. 18251 PA
 Description: Failure to prevent unauthorized emissions during an emissions event that started on November 1, 2004.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: TCEQ Air Permit No. 18251, SC #4 PA
 Description: Failure to prevent unauthorized emissions during an emissions event that started on November 2, 2004.
 Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Solutia failed to submit an emissions event report within 24 hours after discovery of the event, Incident No. 68042. Specifically, the emissions event was discovered on November 12, 2005 at 0944, but was not reported until November 15, 2005 at 1441.
 Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: No. 18251, Special Condition No. 4 PERMIT
 Description: Solutia failed to prevent unauthorized emissions during an emissions event, Incident 68043, that occurred on November 12, 2005 and lasted 1 hour and 25 minutes.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

N/A	1	03/04/2003	(23648)
	2	03/12/2003	(27234)
	3	03/21/2003	(157037)
	4	03/28/2003	(28455)
	5	04/21/2003	(157042)
	6	05/20/2003	(37989)
	7	05/21/2003	(157046)
	8	06/20/2003	(157050)
	9	07/01/2003	(36597)
	10	07/22/2003	(157054)
	11	08/14/2003	(148336)
	12	08/14/2003	(148343)
	13	08/19/2003	(149876)
	14	08/21/2003	(151361)
	15	08/21/2003	(151374)
	16	08/25/2003	(150697)
	17	08/25/2003	(294923)
	18	09/11/2003	(248057)
	19	09/11/2003	(248048)
	20	09/23/2003	(294925)
	21	10/21/2003	(294927)
	22	10/27/2003	(281097)

23	10/29/2003	(253450)
24	10/29/2003	(253464)
25	11/12/2003	(253266)
26	11/12/2003	(252275)
27	11/21/2003	(294928)
28	11/25/2003	(255837)
29	11/25/2003	(255830)
30	11/25/2003	(250820)
31	11/25/2003	(255834)
32	11/25/2003	(255835)
33	12/02/2003	(255621)
34	12/18/2003	(257385)
35	12/18/2003	(257514)
36	12/23/2003	(294929)
37	01/12/2004	(258960)
38	01/12/2004	(258944)
39	01/16/2004	(255951)
40	01/23/2004	(294931)
41	02/23/2004	(294912)
42	02/26/2004	(255896)
43	02/27/2004	(262913)
44	02/27/2004	(262943)
45	02/27/2004	(263910)
46	02/27/2004	(262933)
47	02/27/2004	(262947)
48	02/27/2004	(262922)
49	03/22/2004	(294915)
50	03/29/2004	(267307)
51	03/30/2004	(332762)
52	04/12/2004	(253529)
53	04/13/2004	(265167)
54	04/16/2004	(267638)
55	04/20/2004	(294916)
56	05/25/2004	(294918)
57	06/17/2004	(273007)
58	06/21/2004	(294920)
59	07/23/2004	(351912)
60	07/30/2004	(284372)
61	08/03/2004	(283906)
62	08/19/2004	(351913)
63	08/31/2004	(271365)
64	09/01/2004	(271988)
65	09/01/2004	(270694)
66	09/01/2004	(272089)
67	09/01/2004	(289574)
68	09/20/2004	(351914)
69	09/23/2004	(334052)
70	09/23/2004	(334055)
71	10/13/2004	(337045)
72	10/13/2004	(337038)
73	10/22/2004	(351915)
74	10/22/2004	(351918)
75	11/03/2004	(333514)
76	11/03/2004	(333511)
77	11/04/2004	(351917)
78	11/05/2004	(338995)
79	11/05/2004	(337520)
80	11/16/2004	(334879)
81	11/16/2004	(340676)
82	11/16/2004	(340661)
83	11/16/2004	(339730)
84	11/16/2004	(340570)
85	11/17/2004	(340850)
86	11/22/2004	(340787)
87	11/23/2004	(341009)
88	12/09/2004	(343333)
89	12/09/2004	(343311)
90	12/10/2004	(263071)

91	12/10/2004	(260541)
92	12/10/2004	(263070)
93	12/13/2004	(262649)
94	12/14/2004	(343317)
95	12/14/2004	(343284)
96	12/15/2004	(351916)
97	12/16/2004	(336194)
98	12/17/2004	(344033)
99	12/20/2004	(338296)
100	12/20/2004	(335252)
101	12/20/2004	(338265)
102	12/22/2004	(381756)
103	12/23/2004	(336768)
104	12/28/2004	(344974)
105	12/30/2004	(343622)
106	12/30/2004	(345394)
107	01/03/2005	(343620)
108	01/03/2005	(343624)
109	01/14/2005	(345345)
110	02/14/2005	(349294)
111	02/14/2005	(348976)
112	02/21/2005	(349363)
113	02/22/2005	(381755)
114	02/24/2005	(349397)
115	02/28/2005	(347701)
116	03/24/2005	(419586)
117	04/04/2005	(349690)
118	04/06/2005	(376386)
119	04/06/2005	(376392)
120	04/06/2005	(376398)
121	04/06/2005	(376425)
122	04/06/2005	(376432)
123	04/06/2005	(376403)
124	04/08/2005	(376952)
125	04/18/2005	(419587)
126	04/19/2005	(376908)
127	04/25/2005	(377968)
128	05/11/2005	(348724)
129	05/16/2005	(380841)
130	05/23/2005	(419588)
131	05/31/2005	(379386)
132	05/31/2005	(374702)
133	05/31/2005	(379380)
134	06/08/2005	(348652)
135	06/13/2005	(345346)
136	06/23/2005	(419589)
137	06/29/2005	(394959)
138	07/19/2005	(440731)
139	07/21/2005	(398102)
140	08/16/2005	(440732)
141	08/19/2005	(404318)
142	08/24/2005	(377022)
143	08/24/2005	(405509)
144	08/24/2005	(349399)
145	08/24/2005	(405513)
146	08/25/2005	(401920)
147	08/29/2005	(401919)
148	08/30/2005	(401906)
149	09/01/2005	(401916)
150	09/19/2005	(440733)
151	10/04/2005	(379884)
152	10/11/2005	(399217)
153	10/21/2005	(433182)
154	10/21/2005	(433183)
155	10/24/2005	(468248)
156	11/28/2005	(468249)
157	12/20/2005	(435369)
158	12/20/2005	(439435)

159	12/20/2005	(468250)
160	12/30/2005	(434386)
161	01/09/2006	(439878)
162	01/23/2006	(468251)
163	01/24/2006	(440227)
164	01/24/2006	(440219)
165	01/30/2006	(438969)
166	02/14/2006	(453399)
167	02/14/2006	(453392)
168	02/16/2006	(405519)
169	02/21/2006	(438633)
170	03/03/2006	(457603)
171	03/20/2006	(498075)
172	04/17/2006	(460779)
173	04/19/2006	(451614)
174	04/24/2006	(498076)
175	04/30/2006	(468247)
176	05/12/2006	(464820)
177	05/12/2006	(464822)
178	05/12/2006	(464824)
179	05/12/2006	(464828)
180	05/12/2006	(464827)
181	05/16/2006	(457449)
182	05/17/2006	(458668)
183	05/18/2006	(451024)
184	05/18/2006	(449724)
185	05/22/2006	(498077)
186	05/31/2006	(466924)
187	05/31/2006	(466929)
188	05/31/2006	(466931)
189	05/31/2006	(466932)
190	06/05/2006	(463415)
191	06/21/2006	(467669)
192	06/21/2006	(480974)
193	06/23/2006	(498078)
194	06/29/2006	(482600)
195	06/29/2006	(482575)
196	06/29/2006	(466692)
197	07/10/2006	(464446)
198	07/20/2006	(467521)
199	07/25/2006	(485504)
200	07/26/2006	(520095)
201	08/17/2006	(497124)
202	08/21/2006	(520096)
203	08/23/2006	(486778)
204	08/31/2006	(480128)
205	09/15/2006	(511153)
206	09/21/2006	(520097)
207	10/23/2006	(544349)
208	10/27/2006	(516020)
209	10/27/2006	(516053)
210	11/08/2006	(518116)
211	11/29/2006	(531921)
212	11/29/2006	(532004)
213	11/29/2006	(544350)
214	12/07/2006	(532264)
215	12/08/2006	(531936)
216	12/11/2006	(518239)
217	12/11/2006	(518235)
218	12/27/2006	(544351)
219	01/11/2007	(532283)
220	01/18/2007	(535916)
221	01/18/2007	(536107)
222	01/22/2007	(544352)
223	01/23/2007	(536763)
224	01/30/2007	(536987)
225	01/30/2007	(536993)
226	02/16/2007	(539392)

227	02/16/2007	(539394)
228	02/16/2007	(512464)
229	02/20/2007	(539401)
230	02/21/2007	(539360)
231	02/22/2007	(539395)
232	02/22/2007	(575043)
233	02/23/2007	(539396)
234	03/12/2007	(539403)
235	03/12/2007	(539397)
236	03/12/2007	(539398)
237	03/26/2007	(575044)
238	04/12/2007	(543396)
239	04/12/2007	(543389)
240	04/12/2007	(543359)
241	04/12/2007	(543411)
242	04/12/2007	(543393)
243	04/19/2007	(575045)
244	05/23/2007	(575046)
245	06/08/2007	(543508)
246	06/13/2007	(563309)
247	06/25/2007	(575047)
248	06/26/2007	(558363)
249	07/05/2007	(565543)
250	07/05/2007	(564044)
251	07/06/2007	(560348)
252	07/23/2007	(575048)
253	08/17/2007	(571117)
254	08/17/2007	(571120)
255	08/17/2007	(571122)
256	08/17/2007	(571113)
257	08/17/2007	(571116)
258	08/22/2007	(573057)
259	08/28/2007	(566965)
260	08/28/2007	(566968)
261	08/29/2007	(572199)
262	08/30/2007	(571497)
263	09/20/2007	(607508)
264	09/27/2007	(594475)
265	09/27/2007	(593895)
266	09/28/2007	(565072)
267	10/04/2007	(565781)
268	10/16/2007	(594030)
269	10/19/2007	(607509)
270	10/31/2007	(607507)
271	11/01/2007	(598289)
272	11/01/2007	(598293)
273	11/05/2007	(597652)
274	11/06/2007	(599382)
275	11/15/2007	(619438)
276	12/03/2007	(595635)
277	12/14/2007	(609886)
278	12/17/2007	(599351)
279	12/17/2007	(610670)
280	12/17/2007	(599355)
281	12/18/2007	(619439)
282	12/20/2007	(611714)
283	12/20/2007	(611710)
284	01/17/2008	(619440)
285	01/28/2008	(595602)
286	01/29/2008	(609295)
287	02/04/2008	(595610)
288	02/13/2008	(615839)
289	02/13/2008	(615859)
290	02/14/2008	(609298)
291	02/15/2008	(612072)
292	02/15/2008	(618125)

Date: 07/31/2003 (294923)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 10/31/2003 (294928)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 03/30/2004 (332762)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(17)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE
 Date: 05/31/2004 (294920)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 11/16/2004 (339730)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18251 and N-011, S.C No. 4
 Description: Failure to operate the flare within MAERT limits
 Date: 11/17/2004 (340850)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18251, S.C No.4
 Description: Failure to prevent the leaks from the valves 30HIC4-A/B and caused the release of air
 contaminants from the emission point which is not listed in the MAERT.
 Date: 11/18/2004 (341009)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18251, S.C. No.4
 Description: Failure to prevent tripping of the boiler (30H5) and relit the burners in a timely manner
 and caused the release of air pollutants from the emission point that was not listed in the
 MAERT.
 Date: 11/22/2004 (340787)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
 Description: Failure to submit the initial notification of the emissions event within 24 hours after the
 start of incident.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 32151, S.C. No.1
 Description: Failure to limit the emissions from the scrubber within the MAERT limits.
 Date: 12/13/2004 (262649)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit No. 18251, SC #4
 Description: Solutia failed to prevent moisture from entering the igniter unit on the flare.
 Date: 12/20/2004 (335252)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit #18251, SC #1
 Description: Sterling Chemicals failed to prevent external corrosion on a pipeline.
 Date: 12/31/2004 (351918)

Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1), TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	01/03/2005 (343620)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PA TCEQ Air Permit No. 38336, SC #4		
Description:	Solutia inadvertently sent steam through the drain line to the process sewer increasing the pressure in the process sewer tank.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)		
Description:	Failure to report an emissions event (Incident #45511) that occurred at the AN7 Unit in a timely manner.		
Date:	02/14/2005 (348976)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	Solutia failed to prevent a fire suppression discharge which resulted in a release of 145 pounds (lbs) of Halon 1301 (bromotrifluoromethane).		
Date:	04/04/2005 (349690)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(1) 5C THC Chapter 382, SubChapter A 382.085(b)		
Description:	The regulated entity failed to prevent a shutdown of the AN2 waste heat boiler due to the malfunction of the valve positioner.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(8)		
Description:	Solutia, Inc., - Chocolate Bayou Plant failed to identify on the emissions event report the permit number authorization.		
Date:	07/21/2005 (398102)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT TCEQ Permit #18251, SC #4		
Description:	Solutia failed to include the facility's authorization limit and number on the final report.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(8)		
Description:	Solutia failed to include the facility's authorization limit and number on the final report.		
Date:	08/24/2005 (377022)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT 18251 SC 4		
Description:	Solutia failed to properly tighten a valve.		
Date:	08/24/2005 (349399)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PA TCEQ Air Permit No. 38998, SC#4		
Description:	The regulated entity failed to prevent a leak in a propylene pump.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 101, SubChapter F 101.201(b)(8)		
Description:	failed to identify the permit number representing the propylene pump in the emissions event report.		
Date:	09/30/2005 (468248)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	10/31/2005 (468249)		

Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	02/16/2006 (405519)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)		
Description:	Failure to record quarterly opacity observation on Unit ID: 350H1-1		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 115, SubChapter B 115.142(1)(E)		
Description:	Solutia, Inc., failed to equipt Unit IDs:P-10 and P-13, with a Close-Vent system.		
Date:	02/17/2006 (405519)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.110(a)(1)		
Rqmt Prov:	PERMIT O-02325		
Description:	Failure to comply with the requirements of 30 TEX. ADMIN. CODE Chapter 106.472(9).		
Date:	03/02/2006 (457603)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 113, SubChapter C 113.120 30 TAC Chapter 116, SubChapter B 116.115(c) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT SC 2		
Description:	Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.		
Self Report?	NO	Classification:	Major
Citation:	2A TWC Chapter 7, SubChapter A 7.101		
Rqmt Prov:	ORDER Ordering Provision 3.a.		
Description:	Failure to comply with ordering provisions of the Commission Order Docket No. 2002-0174-AIR-E.		
Date:	07/25/2006 (485504)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)		
Rqmt Prov:	PERMIT No. 18251, Special Condition 4		
Description:	Failure to prevent unauthorized emissions.		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 101, SubChapter F 101.221(a)		
Description:	Failure to maintain the AN2 Flare in good working order during facility operations.		
Date:	07/31/2006 (520096)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2006 (520097)		
Self Report?	YES	Classification:	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)		
Description:	Failure to meet the limit for one or more permit parameter		
Date:	08/31/2006 (480128)		
Self Report?	NO	Classification:	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.116(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		
Description:	Failure to maintain the tank throughputs for the acetic tank and water circulating tank as represented in the permit application dated February 29, 2000 for the TCEQ Permit no. 38336.		
Self Report?	NO	Classification:	Minor
Citation:	30 TAC Chapter 115, SubChapter D 115.352(4) 30 TAC Chapter 116, SubChapter B 116.115(c) 30 TAC Chapter 122, SubChapter B 122.143(4) 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1) 5C THC Chapter 382, SubChapter D 382.085(b)		

Rqmt Prov: PERMIT 38336, Special Condition 23.E
 OP O-02324, Special Condition 18
 OP O-02324, Special Condition 1A
 Description: Failure to install caps/plugs/flanges on eight open-ended lines in unit 70ANFUG.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP O-02324, Special Condition 1A
 Description: Failure to conduct a first attempt at repair on 1 valve within five calendar days after a leak was detected in the AN 7 Unit.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 38336, Special Condition 12B
 OP O-02324, Special Condition 18
 Description: Failure to maintain three pilots on the flare 70Z522.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: PERMIT 38336, Special Condition 4
 PERMIT 38336, Special Condition 8A
 OP O-02324, Special Condition 18
 Description: Failure to maintain the NOx emissions from the boiler 70Z401 within the permit limit in the AN7 Unit.
 Date: 11/29/2006 (532004)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: PERMIT No. 38998, Special Condition 4
 Description: Failure to prevent unauthorized emissions.
 Date: 12/31/2006 (544352)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)

Description: Failure to meet the limit for one or more permit parameter
 Date: 02/16/2007 (512464)
 Self Report? YES Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: OP FOP O-02321, SC 12
 OP FOP O-02321, SC 1A
 PA NSR 18251 SC 14E
 PA NSR 18251, SC 12E
 Description: Failure to cap 10 open-ended lines in HRVOC and HAP service.
 Date: 02/21/2007 (539360)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 331, SubChapter D 331.63(e)

Rqmt Prov: PERMIT PROVISION VII.D.
 Description: Violation of maximum injection flow rate.
 Date: 08/31/2007 (607508)
 Self Report? YES Classification: Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter
 Date: 09/27/2007 (594475)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)

30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP FOP No. 2324, Spec. Cond 18
OP FOP No. 2324, Spec. Cond. 1A
PERMIT NSR Permit No. 38336, Spec. Cond. 20E
Description: Failure to seal four (4) open ended lines in VOC service during the compliance period.

Date: 10/31/2007 (619438)

Self Report? YES

Classification: Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 01/29/2008 (595602)

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01258, General Terms and Conditions

Description: Failure to submit the November 30, 2005 semi-annual deviation report within 30 days after the end of the reporting period.

Self Report? NO

Classification: Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01258, General Terms and Conditions

Description: Failure to submit a complete semi-annual report and annual compliance certification containing all terms and conditions of the permit for which compliance was not achieved.

F. Environmental audits.

Notice of Intent Date: 09/23/2004 (347742)

No DOV Associated

Notice of Intent Date: 01/03/2006 (453378)

No DOV Associated

Notice of Intent Date: 04/07/2006 (462917)

No DOV Associated

Notice of Intent Date: 05/25/2006 (481532)

Disclosure Date: 11/14/2006

Viol. Classification: Minor

Rqmt Prov: PERMIT 32151, SC 8A

Description: Failure to notify the regional office 45 days prior to schedule stack sampling for scrubber 83S14 and 83S6.

Notice of Intent Date: 04/23/2007 (559025)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision June 12, 2008

TCEQ

DATES	Assigned	23-Jun-2008	Screening	2-Jul-2008	EPA Due	26-Apr-2009
	PCW	2-Jul-2008				

RESPONDENT/FACILITY INFORMATION

Respondent	Solutia Inc.		
Reg. Ent. Ref. No.	RN100238682		
Facility/Site Region	12-Houston	Major/Minor Source	Major

CASE INFORMATION

Enf./Case ID No.	35189	No. of Violations	5
Docket No.	2008-0062-AIR-E	Order Type	1660
Media Program(s)	Air	Government/Non-Profit	No
Multi-Media		Enf. Coordinator	Bryan Elliott
		EC's Team	Enforcement Team 4
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$10,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties) **Subtotal 1** \$15,100

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History 188.0% Enhancement **Subtotals 2, 3, & 7** \$28,388

Notes: The penalty was enhanced due to 16 NOVs for similar violations, 19 NOVs for dissimilar violations, and four 1660 style orders. The penalty was reduced due to 6 NOAs and 2 DOVs.

Culpability No 0.0% Enhancement **Subtotal 4** \$0

Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments **Subtotal 5** \$0

Economic Benefit 0.0% Enhancement* **Subtotal 6** \$0

Total EB Amounts \$354
Approx. Cost of Compliance \$8,000

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7 **Final Subtotal** \$43,488

OTHER FACTORS AS JUSTICE MAY REQUIRE 0.0% **Adjustment** \$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount \$43,488

STATUTORY LIMIT ADJUSTMENT **Final Assessed Penalty** \$39,088

DEFERRAL 0.0% Reduction **Adjustment** \$0

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

PAYABLE PENALTY \$39,088

EXHIBIT

tabbles

PCW-5

Screening Date 2-Jul-2008

Docket No. 2008-0062-AIR-E

PCW

Respondent Solutia Inc.

Policy Revision 2 (September 2002)

Case ID No. 35189

PCW Revision June 12, 2008

Reg. Ent. Reference No. RN100238682

Media [Statute] Air

Enf. Coordinator Bryan Elliott

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
-----------	--------------	-------------------	---------

NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	16	80%
	Other written NOVs	19	38%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgements or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	6	-6%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	2	-4%

Please Enter Yes or No

Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 188%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

The penalty was enhanced due to 16 NOVs for similar violations, 19 NOVs for dissimilar violations, and four 1680 style orders. The penalty was reduced due to 6 NOAs and 2 DOVs.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 188%

Screening Date 2-Jul-2008		Docket No. 2008-0062-AIR-E		PCW																
Respondent Solutia Inc.		<i>Policy Revision 2 (September 2002)</i>																		
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Reg. Ent. Reference No. RN100238682																				
Media [Statute] Air																				
Enf. Coordinator Bryan Elliott																				
Violation Number 1																				
Rule Cite(s)		30 Tex. Admin. Code §§ 101.20(3) and 116.115(c), Tex. Health & Safety Code § 382.085(b) and Permit No. 38336/PSD-TX-910, Special Condition No. 4																		
Violation Description		Failed to comply with permitted emissions limits. Specifically, during a reference method stack test conducted on March 28, 2008, it was determined that emissions from the AN-7 Process Air Startup Heater, emission point No. ("EPN") 70H101-2, for nitrogen oxides ("NOx") were 8.62 pounds per hour ("lbs/hr") and emissions for carbon monoxide ("CO") were 13.47 lbs/hr. The emission limits for this EPN are 4.50 lbs/hr for NOx and 6.0 lbs/hr for CO.																		
Base Penalty				\$10,000																
>> Environmental, Property and Human Health Matrix																				
OR	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td></td> <td colspan="2" style="text-align: center;">Harm</td> <td></td> </tr> <tr> <td style="text-align: center;">Release</td> <td style="text-align: center;">Major</td> <td style="text-align: center;">Moderate</td> <td style="text-align: center;">Minor</td> </tr> <tr> <td style="text-align: center;">Actual</td> <td></td> <td></td> <td style="text-align: center;">x</td> </tr> <tr> <td style="text-align: center;">Potential</td> <td></td> <td></td> <td></td> </tr> </table>					Harm			Release	Major	Moderate	Minor	Actual			x	Potential			
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Percent 0%																				
Human health or the environment has been exposed to an insignificant amount of pollutants that do not exceed levels protective of human health or environmental receptors.																				
Adjustment				\$7,500																
				\$2,500																
Violation Events																				
Number of Violation Events		2	96	Number of violation days																
<i>mark only one with an x</i>	daily			Violation Base Penalty \$5,000																
	monthly																			
	quarterly	x																		
	semiannual																			
	annual																			
	single event																			
Two quarterly events are recommended based on the non-compliant stack test on March 28, 2008 to the July 2, 2008 screening date.																				
Good Faith Efforts to Comply		0.0% Reduction		\$0																
		Before NOV	NOV to EDPRP/Settlement Offer																	
Extraordinary																				
Ordinary																				
N/A		x	(mark with x)																	
Notes		The Respondent does not meet the good faith criteria for this violation.																		
Violation Subtotal				\$5,000																
Economic Benefit (EB) for this violation		Statutory Limit Test																		
Estimated EB Amount		\$213	Violation Final Penalty Total \$14,400																	
This violation Final Assessed Penalty (adjusted for limits)				\$14,400																

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 35189
Reg. Ent. Reference No. RN100238682
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$5,000	28-Mar-2008	2-Feb-2009	0.85	\$213	n/a	\$213

Notes for DELAYED costs

Estimated expense to demonstrate compliance with permitted limits for emissions from 70H101-2. Date Required is the date of the stack test. Final Date is the date that corrective action is estimated to be completed.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$5,000

TOTAL

\$213

Screening Date 2-Jul-2008 Respondent Solutia Inc. Case ID No. 35189 Reg. Ent. Reference No. RN100238682 Media [Statute] Air Enf. Coordinator Bryan Elliott Violation Number 2 Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Permit No. 18251, Special Condition No. 4 Violation Description <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> <p>Failed to prevent unauthorized emissions. Specifically, an emissions event occurred on February 29, 2008 due to a preventable electrical spike at EPN 31H4, which lasted for one hour and 43 minutes and resulted in the release of 15.20 pounds ("lbs") of hydrogen cyanide ("HCN") and 526.80 lbs of propylene. The emission limits for this EPN are 1.26 lbs/hr for HCN and 4.01 lbs/hr for volatile organic compounds ("VOC"). Since this emissions event could have been avoided by good design, operation, and maintenance practices, it did not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222.</p> </div>	Docket No. 2008-0062-AIR-E <div style="text-align: right;"> PCW <small>Policy Revision 2 (September 2002)</small> <small>PCW Revision June 12, 2008</small> </div>																		
Base Penalty \$10,000																			
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Violation Subtotal \$2,500																			
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Estimated EB Amount \$48	Statutory Limit Test																		
Violation Final Penalty Total \$7,200																			
This violation Final Assessed Penalty (adjusted for limits) \$7,200																			

Economic Benefit Worksheet

Respondent: Solutia Inc.
Case ID No. 35189
Reg. Ent. Reference No. RN100238682
Media: Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Cost **Date Required** **Final Date** **Yrs** **Interest Saved** **Onetime Costs** **EB Amount**
Item Description No commas or \$

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,000	29-Feb-2008	15-Feb-2009	0.96	\$48	n/a	\$48

Notes for DELAYED costs

Estimated cost for additional oversight and management practices designed to ensure proper maintenance practices are followed. Date Required is based on the date of the emissions event and Final Date is the expected date of compliance.

Avoided Costs**ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)**

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$48

Screening Date 2-Jul-2008 Respondent Solutia Inc. Case ID No. 35189 Reg. Ent. Reference No. RN100238682 Media [Statute] Air Enf. Coordinator Bryan Elliott Violation Number 3 Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Permit No. 18251, Special Condition No. 4 Violation Description <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Failed to prevent unauthorized emissions. Specifically, an emissions event occurred on March 2, 2008 due to a preventable electrical spike at EPN 31H4, which lasted for 37 minutes and resulted in the release of 166 lbs of propylene. The emission limits for this EPN are 4.01 lbs/hr for VOC. Since this emissions event could have been avoided by good design, operation, and maintenance practices, it did not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222. </div>	Docket No. 2008-0062-AIR-E <div style="text-align: right;"> PCW <small>Policy Revision 2 (September 2002)</small> <small>PCW Revision June 12, 2008</small> </div>																		
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Ordinary																			
N/A	x	(mark with x)																	
Notes	<div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> The Respondent does not meet the good faith criteria for this violation. </div>																		
Violation Subtotal \$2,500																			
Economic Benefit (EB) for this violation																			
<table style="width: 100%;"> <tr> <td style="width: 50%;"> Estimated EB Amount \$48 </td> <td style="width: 50%; text-align: right;"> Statutory Limit Test </td> </tr> </table>		Estimated EB Amount \$48	Statutory Limit Test																
Estimated EB Amount \$48	Statutory Limit Test																		
Violation Final Penalty Total \$7,200																			
This violation Final Assessed Penalty (adjusted for limits) \$7,200																			

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 35189
Reg. Ent. Reference No. RN100238682
Media Air
Violation No. 3

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							
Delayed Costs							
Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,000	2-Mar-2008	15-Feb-2009	0.96	\$48	n/a	\$48

Notes for DELAYED costs

Estimated cost for additional oversight and management practices designed to ensure proper maintenance practices are followed. Date Required is based on the date of the emissions event and Final Date is the expected date of compliance.

Avoided Costs							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$48

Screening Date 2-Jul-2008 Respondent Solutia Inc. Case ID No. 35189 Reg. Ent. Reference No. RN100238682 Media [Statute] Air Enf. Coordinator Bryan Elliott Violation Number 4 Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Tex. Health & Safety Code § 382.085(b) and Permit No. 18251, Special Condition No. 4	Docket No. 2008-0062-AIR-E <div style="text-align: right;"> PCW <small>Policy Revision 2 (September 2002)</small> <small>PCW Revision June 12, 2008</small> </div>															
Violation Description <div style="border: 1px solid black; padding: 5px; margin-top: 5px;"> Failed to prevent unauthorized emissions. Specifically, an emissions event occurred on March 27, 2008 due to a loss of air flow from operator error at EPN 30H5, which lasted for one hour and 51 minutes and resulted in the release of 4,057 lbs of VOC, 4,714 lbs of CO, and 61 lbs of HCN. The emission limits for this EPN are 3.57 lbs/hr for VOC, 31 lbs/hr for CO, and 1.26 lbs/hr for HCN. Since this emissions event could have been avoided by good design, operation, and maintenance practices, and was improperly reported, it did not meet the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222. </div>																
Base Penalty \$10,000																
>> Environmental, Property and Human Health Matrix																
OR	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Release</th> <th style="width: 20%;">Major</th> <th style="width: 20%;">Moderate</th> <th style="width: 20%;">Minor</th> <th style="width: 25%;"></th> </tr> </thead> <tbody> <tr> <td>Actual</td> <td></td> <td style="text-align: center;">x</td> <td></td> <td rowspan="2" style="vertical-align: middle;">Percent 50%</td> </tr> <tr> <td>Potential</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Release	Major	Moderate	Minor		Actual		x		Percent 50%	Potential				
Release	Major	Moderate	Minor													
Actual		x		Percent 50%												
Potential																
>> Programmatic Matrix																
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Falsification</th> <th style="width: 20%;">Major</th> <th style="width: 20%;">Moderate</th> <th style="width: 20%;">Minor</th> <th style="width: 25%;"></th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td style="vertical-align: middle;">Percent 0%</td> </tr> </tbody> </table>	Falsification	Major	Moderate	Minor						Percent 0%					
Falsification	Major	Moderate	Minor													
				Percent 0%												
Matrix Notes	Human health or the environment was exposed to significant amounts of pollutants which did not exceed levels protective of human health or environmental receptors as a result of the violation.															
Adjustment \$5,000																
\$5,000																
Violation Events																
<table style="width: 100%;"> <tr> <td style="width: 40%;">Number of Violation Events</td> <td style="width: 10%; text-align: center;">1</td> <td style="width: 10%;"></td> <td style="width: 10%; text-align: center;">1</td> <td style="width: 30%;">Number of violation days</td> </tr> </table> <table style="width: 100%;"> <tr> <td style="width: 20%; vertical-align: top;"> mark only one with an x </td> <td style="width: 20%;"> daily monthly quarterly semiannual annual single event </td> <td style="width: 20%; border: 1px solid black; text-align: center;"> x </td> <td style="width: 40%;"></td> </tr> </table> <div style="border: 1px solid black; padding: 5px; text-align: center; margin-top: 10px;"> One single event is recommended. </div>		Number of Violation Events	1		1	Number of violation days	mark only one with an x	daily monthly quarterly semiannual annual single event	x							
Number of Violation Events	1		1	Number of violation days												
mark only one with an x	daily monthly quarterly semiannual annual single event	x														
Violation Base Penalty \$5,000																
Good Faith Efforts to Comply																
<table style="width: 100%;"> <tr> <td style="width: 40%;"></td> <td style="width: 20%; text-align: center;">0.0% Reduction</td> <td style="width: 40%;"></td> </tr> <tr> <td></td> <td style="text-align: center;">Before NOV NOV to EDPRP/Settlement Offer</td> <td></td> </tr> <tr> <td>Extraordinary</td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black;"></td> </tr> <tr> <td>Ordinary</td> <td style="border: 1px solid black;"></td> <td style="border: 1px solid black;"></td> </tr> <tr> <td>N/A</td> <td style="text-align: center;">x</td> <td style="text-align: center;">(mark with x)</td> </tr> </table> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> Notes: The Respondent does not meet the good faith criteria for this violation. </div>			0.0% Reduction			Before NOV NOV to EDPRP/Settlement Offer		Extraordinary			Ordinary			N/A	x	(mark with x)
	0.0% Reduction															
	Before NOV NOV to EDPRP/Settlement Offer															
Extraordinary																
Ordinary																
N/A	x	(mark with x)														
Violation Subtotal \$5,000																
Economic Benefit (EB) for this violation																
<table style="width: 100%;"> <tr> <td style="width: 50%;">Estimated EB Amount</td> <td style="width: 10%; text-align: center;">\$45</td> <td style="width: 40%;"></td> </tr> </table>		Estimated EB Amount	\$45													
Estimated EB Amount	\$45															
Statutory Limit Test																
<table style="width: 100%;"> <tr> <td style="width: 50%;">Violation Final Penalty Total</td> <td style="width: 10%; text-align: center;">\$14,400</td> <td style="width: 40%;"></td> </tr> </table>		Violation Final Penalty Total	\$14,400													
Violation Final Penalty Total	\$14,400															
This violation Final Assessed Penalty (adjusted for limits) \$10,000																

Economic Benefit Worksheet

Respondent Solutia Inc.

Case ID No. 35189

Reg. Ent. Reference No. RN100238682

Media Air

Violation No. 4

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$1,000	27-Mar-2008	15-Feb-2009	0.89	\$45	n/a	\$45

Notes for DELAYED costs

Estimated cost for additional oversight and management practices designed to ensure proper maintenance and reporting practices are followed. Date Required is based on the date of the emissions event and Final Date is the expected date of compliance.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$1,000

TOTAL

\$45

Screening Date 2-Jul-2008 Respondent Solutia Inc. Case ID No. 35189 Reg. Ent. Reference No. RN100238682 Media [Statute] Air Enf. Coordinator Bryan Elliott Violation Number 5 Rule Cite(s) 30 Tex. Admin. Code § 101.201(b)(1) and Tex. Health & Safety Code § 382.085(b)	Docket No. 2008-0062-AIR-E <div style="text-align: right;">PCW</div> <div style="text-align: right; font-size: small;">Policy Revision 2 (September 2002) PCW Revision June 12, 2008</div>																		
Violation Description Failed to properly report an emissions event. Specifically, the final report for the March 27, 2008 emissions event did not contain the authorized limits for several pollutants that were involved in the event.																			
Base Penalty \$10,000																			
>> Environmental, Property and Human Health Matrix																			
OR	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;"></td> <td style="width: 10%; text-align: center;">Release</td> <td style="width: 10%; text-align: center;">Major</td> <td style="width: 10%; text-align: center;">Moderate</td> <td style="width: 10%; text-align: center;">Minor</td> <td style="width: 10%;"></td> </tr> <tr> <td></td> <td>Actual</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td></td> <td>Potential</td> <td></td> <td></td> <td></td> <td></td> </tr> </table> <div style="text-align: right; margin-top: 5px;"> Percent 0% </div>		Release	Major	Moderate	Minor			Actual						Potential				
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	Falsification	Major	Moderate	Minor															
				x															
Matrix Notes	Less than 30% of the rule requirement was not met.																		
Adjustment \$9,900																			
\$100																			
Violation Events																			
<div style="display: flex; justify-content: space-between;"> <div> Number of Violation Events 1 </div> <div> Number of violation days 1 </div> </div> <div style="margin-top: 10px;"> <div style="display: flex; align-items: center;"> <div style="font-size: x-small; margin-right: 5px;">mark only one with an x</div> <table border="1" style="border-collapse: collapse;"> <tr><td style="padding: 2px;">daily</td><td></td></tr> <tr><td style="padding: 2px;">monthly</td><td></td></tr> <tr><td style="padding: 2px;">quarterly</td><td></td></tr> <tr><td style="padding: 2px;">semiannual</td><td></td></tr> <tr><td style="padding: 2px;">annual</td><td></td></tr> <tr><td style="padding: 2px;">single event</td><td style="text-align: center;">x</td></tr> </table> </div> <div style="text-align: right; margin-top: 10px;"> Violation Base Penalty \$100 </div> </div>		daily		monthly		quarterly		semiannual		annual		single event	x						
daily																			
monthly																			
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	Before NOV	NOV to EDPRP/Settlement Offer																	
Extraordinary																			
Ordinary																			
N/A	x	(mark with x)																	
Violation Subtotal \$100																			
Economic Benefit (EB) for this violation																			
<div style="display: flex; justify-content: space-between;"> <div> Estimated EB Amount \$0 </div> <div> Statutory Limit Test </div> </div> <div style="margin-top: 10px;"> <div style="display: flex; justify-content: space-between;"> <div> Violation Final Penalty Total \$288 </div> <div> This violation Final Assessed Penalty (adjusted for limits) \$288 </div> </div> </div>																			

Economic Benefit Worksheet

Respondent Solutia Inc.

Case ID No. 35189

Reg. Ent. Reference No. RN100238682

Media Air

Violation No. 5

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Economic Benefit is included in violation no. 4.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$0

TOTAL

\$0

Compliance History

Customer/Respondent/Owner-Operator:	CN600132856	Solutia Inc.	Classification: AVERAGE	Rating: 2.30
Regulated Entity:	RN100238682	CHOCOLATE BAYOU PLANT	Classification: AVERAGE	Site Rating: 1.61
ID Number(s):				
	AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0038U	
	AIR OPERATING PERMITS	PERMIT	1258	
	AIR OPERATING PERMITS	PERMIT	2317	
	AIR OPERATING PERMITS	PERMIT	2318	
	AIR OPERATING PERMITS	PERMIT	2319	
	AIR OPERATING PERMITS	PERMIT	2320	
	AIR OPERATING PERMITS	PERMIT	2321	
	AIR OPERATING PERMITS	PERMIT	2322	
	AIR OPERATING PERMITS	PERMIT	2323	
	AIR OPERATING PERMITS	PERMIT	2324	
	AIR OPERATING PERMITS	PERMIT	2325	
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200049	
	WASTEWATER	PERMIT	WQ0000001000	
	WASTEWATER	PERMIT	TPDES0003875	
	WASTEWATER	PERMIT	TX0003875	
	AIR NEW SOURCE PERMITS	PERMIT	2271	
	AIR NEW SOURCE PERMITS	PERMIT	3046	
	AIR NEW SOURCE PERMITS	PERMIT	5065	
	AIR NEW SOURCE PERMITS	PERMIT	5084	
	AIR NEW SOURCE PERMITS	PERMIT	5336	
	AIR NEW SOURCE PERMITS	PERMIT	6534	
	AIR NEW SOURCE PERMITS	PERMIT	8372	
	AIR NEW SOURCE PERMITS	PERMIT	14488	
	AIR NEW SOURCE PERMITS	PERMIT	18130	
	AIR NEW SOURCE PERMITS	PERMIT	18251	
	AIR NEW SOURCE PERMITS	PERMIT	28694	
	AIR NEW SOURCE PERMITS	PERMIT	32151	
	AIR NEW SOURCE PERMITS	PERMIT	34029	
	AIR NEW SOURCE PERMITS	PERMIT	38336	
	AIR NEW SOURCE PERMITS	PERMIT	38998	
	AIR NEW SOURCE PERMITS	PERMIT	39171	
	AIR NEW SOURCE PERMITS	PERMIT	39643	
	AIR NEW SOURCE PERMITS	PERMIT	48895	
	AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0038U	
	AIR NEW SOURCE PERMITS	REGISTRATION	75639	
	AIR NEW SOURCE PERMITS	REGISTRATION	76211	
	AIR NEW SOURCE PERMITS	AFS NUM	4803900009	
	AIR NEW SOURCE PERMITS	REGISTRATION	71232	
	AIR NEW SOURCE PERMITS	EPA ID	PSDTX307A	
	AIR NEW SOURCE PERMITS	REGISTRATION	71063	
	AIR NEW SOURCE PERMITS	EPA ID	PSDTXP910	
	AIR NEW SOURCE PERMITS	REGISTRATION	72689	
	AIR NEW SOURCE PERMITS	REGISTRATION	72545	
	AIR NEW SOURCE PERMITS	REGISTRATION	74040	
	AIR NEW SOURCE PERMITS	REGISTRATION	73707	
	AIR NEW SOURCE PERMITS	REGISTRATION	74788	
	AIR NEW SOURCE PERMITS	REGISTRATION	75318	
	AIR NEW SOURCE PERMITS	REGISTRATION	77064	
	AIR NEW SOURCE PERMITS	REGISTRATION	77079	
	AIR NEW SOURCE PERMITS	REGISTRATION	78148	
	AIR NEW SOURCE PERMITS	REGISTRATION	78728	
	AIR NEW SOURCE PERMITS	REGISTRATION	79253	
	AIR NEW SOURCE PERMITS	REGISTRATION	80379	
	AIR NEW SOURCE PERMITS	REGISTRATION	80616	
	AIR NEW SOURCE PERMITS	REGISTRATION	83875	
	AIR NEW SOURCE PERMITS	REGISTRATION	83109	
	RADIOACTIVE WASTE DISPOSAL	LICENSE	RW0219	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW013	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW224	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW318	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW326	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW359	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW002	
	UNDERGROUND INJECTION CONTROL	PERMIT	WDW001	
	INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD001700806	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30138	
	INDUSTRIAL AND HAZARDOUS WASTE	EPA ID	TXD001700806	

EXHIBIT

CH-5

tabbles

GENERATION		
STORMWATER	PERMIT	TXR05O891
WATER LICENSING	LICENSE	0200049
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50189
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30138
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189

Location: FM 2917, ALVIN, TX, 77512

Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: July 03, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: July 02, 2003 to July 02, 2008

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Bryan Elliott Phone: 239-6162

Site Compliance History Components

1. Has the site been in existence and/or operation for the full five year compliance period? Yes
2. Has there been a (known) change in ownership of the site during the compliance period? No
3. If Yes, who is the current owner? N/A
4. If Yes, who was/were the prior owner(s)? N/A
5. When did the change(s) in ownership occur? N/A

Components (Multimedia) for the Site :

- A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

Effective Date: 10/10/2003

ADMINORDER 2002-0174-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Part 63, Subpart G 63.120(b)(9)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to notify the TCEQ in writing 30 days in advance of seal gap measurements taken in affiliation with the 1999, 2000, and 2001 annual external floating roof tank inspection of tanks 332T1-1 and 332T1-2.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart G 63.133(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to adequately conduct the 2001 seal gap measurements and generate raw data and calculations relating to external floating roof tank 332T1-1.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC5C PERMIT

Description: Failure to conduct stack testing of incinerator 55H2 within 60 days of start-up of the facilities.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120

40 CFR Part 63, Subpart G 63.152(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a complete periodic report. Specifically, the periodic report submitted on April 25, 2000 for the October 1999 to March 2000 reporting period did not reference or include data pertaining to incinerator EPN 55H2.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.118(f)(3)

5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit complete periodic reports.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)
40 CFR Part 63, Subpart G 63.120(d)(2)(i)
40 CFR Part 63, Subpart G 63.122(b)

Rqmt Prov: SC2 PERMIT

Description: Failure to have an adequate monitoring plan for absorbers 320S322-1 and 320S322-2, that ensures the absorbers are being properly operated and maintained.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT

Description: Failure to comply with the Maximum Allowable Emission Rates Table (MAERT) contained in TCEQ Air Permit No. 38336 for waste heat boiler EPN 70Z401 by emitting VOCs at 9.52 pounds per hour (lbs./hr) when the permitted limit is 8.89 lbs./hr.

Effective Date: 02/20/2006

ADMINORDER 2005-0555-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #39171, SC#4 PA

Description: Equistar failed to close the automatic inlet valve to the incinerator.

Effective Date: 11/19/2007

ADMINORDER 2005-0166-AIR-E

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to report the November 17, 2004 emissions event within 24 hours after its discovery. Specifically, the emissions event that was discovered on November 17, 2004 was not reported until December 22, 2004 as documented during an investigation conducted from April 22, 2005 to May 2, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 18251, SC#4 PA

Description: Failure to comply with permitted emissions limit during an emissions event on November 17, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-02317, ST&C 3A(iii) OP

Description: Failure to maintain records documenting quarterly opacity observations of tank 55T12 and scrubber 55K1, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA Unit.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records documenting the VOC concentration of the exhaust gas associated with 578T5 in order to demonstrate proper function of the carbon canister control equipment, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: NSR 2271, GC 8 PERMIT

Description: Failure to comply with the permitted short-term ammonia emissions limits for scrubber 55K1, as reported in a deviation report for the period of December 1, 2004 through May 31, 2005 for the NTA unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: NSR 2271, GC 1 PERMIT

Description: Failure to comply with the permit representations relating to annual HTMA production, annual ammonia usage, and annual ammonia production, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA unit.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to include the following emission units in the Title V application: 55S101, 55S102, 55S103, and 55S104.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to obtain authorization for the carbon absorption system on wastewater tank 57T5 prior to installation, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Condition No. 1 OP

Description: Failure to operate residue strip tank 57T34 on June 12 and 28, 2004 and August 16, 2004 within temperature ranges specified in the permit application, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Condition No. 8 OP

Description: Failure to include all gas streams going to vent condenser 57E22 from exceeding rolling annual permitted emissions limits, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18251 and N-011, SC No. 4 PA

Description: Failure to prevent unauthorized emissions during an October 9, 2005 emissions event.

Effective Date: 01/28/2008

ADMINORDER 2006-1599-AIR-E

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #18251, SC #4 PA

Description: Failure to prevent unauthorized emissions during a January 11, 2004 emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report an emissions event within 24 hours after its discovery.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report an emissions event within 24 hours after its discovery.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 18251, SC No. 4 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event that started on November 15, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 18251 PA

Description: Failure to prevent unauthorized emissions during an emissions event that started on November 1, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 18251, SC #4 PA

Description: Failure to prevent unauthorized emissions during an emissions event that started on November 2, 2004.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THC Chapter 382, SubChapter D 382.085(b)

Description: Solutia failed to submit an emissions event report within 24 hours after discovery of the event, Incident No. 68042. Specifically, the emissions event was discovered on November 12, 2005 at 0944, but was not reported until November 15, 2005 at 1441.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 18251, Special Condition No. 4 PERMIT

Description: Solutia failed to prevent unauthorized emissions during an emissions event, Incident 68043, that occurred on November 12, 2005 and lasted 1 hour and 25 minutes.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	07/22/2003	(157054)
2	08/14/2003	(148336)
3	08/14/2003	(148343)
4	08/19/2003	(149876)
5	08/21/2003	(151361)
6	08/21/2003	(151374)
7	08/25/2003	(150697)
8	08/25/2003	(294923)
9	09/11/2003	(248057)
10	09/11/2003	(248048)
11	09/23/2003	(294925)
12	10/21/2003	(294927)
13	10/27/2003	(281097)
14	10/29/2003	(253450)
15	10/29/2003	(253464)
16	11/12/2003	(253266)
17	11/12/2003	(252275)
18	11/21/2003	(294928)
19	11/25/2003	(255837)
20	11/25/2003	(255830)
21	11/25/2003	(250820)
22	11/25/2003	(255834)
23	11/25/2003	(255835)
24	12/02/2003	(255621)
25	12/18/2003	(257385)
26	12/18/2003	(257514)
27	12/23/2003	(294929)
28	01/12/2004	(258960)
29	01/12/2004	(258944)
30	01/16/2004	(255951)
31	01/23/2004	(294931)
32	02/23/2004	(294912)
33	02/26/2004	(255896)
34	02/27/2004	(262913)
35	02/27/2004	(262943)
36	02/27/2004	(263910)
37	02/27/2004	(262933)
38	02/27/2004	(262947)
39	02/27/2004	(262922)
40	03/22/2004	(294915)
41	03/29/2004	(267307)
42	03/30/2004	(332762)
43	04/12/2004	(253529)
44	04/13/2004	(265167)
45	04/16/2004	(267638)
46	04/20/2004	(294916)

47	05/25/2004	(294918)
48	06/17/2004	(273007)
49	06/21/2004	(294920)
50	07/23/2004	(351912)
51	07/30/2004	(284372)
52	08/03/2004	(283906)
53	08/19/2004	(351913)
54	08/31/2004	(271365)
55	09/01/2004	(271988)
56	09/01/2004	(270694)
57	09/01/2004	(272089)
58	09/01/2004	(289574)
59	09/20/2004	(351914)
60	09/23/2004	(334052)
61	09/23/2004	(334055)
62	10/13/2004	(337045)
63	10/13/2004	(337038)
64	10/22/2004	(351915)
65	10/22/2004	(351918)
66	11/03/2004	(333514)
67	11/03/2004	(333511)
68	11/04/2004	(351917)
69	11/05/2004	(338995)
70	11/05/2004	(337520)
71	11/16/2004	(334879)
72	11/16/2004	(340676)
73	11/16/2004	(340661)
74	11/16/2004	(339730)
75	11/16/2004	(340570)
76	11/17/2004	(340850)
77	11/22/2004	(340787)
78	11/23/2004	(341009)
79	12/09/2004	(343333)
80	12/09/2004	(343311)
81	12/10/2004	(263071)
82	12/10/2004	(260541)
83	12/10/2004	(263070)
84	12/13/2004	(262649)
85	12/14/2004	(343317)
86	12/14/2004	(343284)
87	12/15/2004	(351916)
88	12/16/2004	(336194)
89	12/17/2004	(344033)
90	12/20/2004	(338296)
91	12/20/2004	(335252)
92	12/20/2004	(338265)
93	12/22/2004	(381756)
94	12/23/2004	(336768)
95	12/28/2004	(344974)
96	12/30/2004	(343622)
97	12/30/2004	(345394)
98	01/03/2005	(343620)
99	01/03/2005	(343624)
100	01/14/2005	(345345)
101	02/14/2005	(349294)
102	02/14/2005	(348976)
103	02/21/2005	(349363)
104	02/22/2005	(381755)
105	02/24/2005	(349397)
106	02/28/2005	(347701)
107	03/24/2005	(419586)
108	04/04/2005	(349690)
109	04/06/2005	(376386)
110	04/06/2005	(376392)
111	04/06/2005	(376398)
112	04/06/2005	(376425)
113	04/06/2005	(376432)
114	04/06/2005	(376403)
115	04/08/2005	(376952)
116	04/18/2005	(419587)
117	04/19/2005	(376908)
118	04/25/2005	(377968)
119	05/11/2005	(348724)
120	05/16/2005	(380841)
121	05/23/2005	(419588)
122	05/31/2005	(379386)

123	05/31/2005	(374702)
124	05/31/2005	(379380)
125	06/08/2005	(348652)
126	06/13/2005	(345346)
127	06/23/2005	(419589)
128	06/29/2005	(394959)
129	07/19/2005	(440731)
130	07/21/2005	(398102)
131	08/16/2005	(440732)
132	08/19/2005	(404318)
133	08/24/2005	(377022)
134	08/24/2005	(405509)
135	08/24/2005	(349399)
136	08/24/2005	(405513)
137	08/25/2005	(401920)
138	08/29/2005	(401919)
139	08/30/2005	(401906)
140	09/01/2005	(401916)
141	09/19/2005	(440733)
142	10/04/2005	(379884)
143	10/11/2005	(399217)
144	10/21/2005	(433182)
145	10/21/2005	(433183)
146	10/24/2005	(468248)
147	11/28/2005	(468249)
148	12/20/2005	(435369)
149	12/20/2005	(439435)
150	12/20/2005	(468250)
151	12/30/2005	(434386)
152	01/09/2006	(439878)
153	01/23/2006	(468251)
154	01/24/2006	(440227)
155	01/24/2006	(440219)
156	01/30/2006	(438969)
157	02/14/2006	(453399)
158	02/14/2006	(453392)
159	02/16/2006	(405519)
160	02/21/2006	(438633)
161	03/03/2006	(457603)
162	03/20/2006	(498075)
163	04/17/2006	(460779)
164	04/19/2006	(451614)
165	04/24/2006	(498076)
166	04/30/2006	(468247)
167	05/12/2006	(464820)
168	05/12/2006	(464822)
169	05/12/2006	(464824)
170	05/12/2006	(464828)
171	05/12/2006	(464827)
172	05/16/2006	(457449)
173	05/17/2006	(458668)
174	05/18/2006	(451024)
175	05/18/2006	(449724)
176	05/22/2006	(498077)
177	05/31/2006	(466924)
178	05/31/2006	(466929)
179	05/31/2006	(466931)
180	05/31/2006	(466932)
181	06/05/2006	(463415)
182	06/21/2006	(467669)
183	06/21/2006	(480974)
184	06/23/2006	(498078)
185	06/29/2006	(482600)
186	06/29/2006	(482575)
187	06/29/2006	(466692)
188	07/10/2006	(464446)
189	07/20/2006	(467521)
190	07/25/2006	(485504)
191	07/26/2006	(520095)
192	08/17/2006	(497124)
193	08/21/2006	(520096)
194	08/23/2006	(486778)
195	08/31/2006	(480128)
196	09/15/2006	(511153)
197	09/21/2006	(520097)
198	10/23/2006	(544349)

199	10/27/2006	(516020)
200	10/27/2006	(516053)
201	11/08/2006	(518116)
202	11/29/2006	(531921)
203	11/29/2006	(532004)
204	11/29/2006	(544350)
205	12/07/2006	(532264)
206	12/08/2006	(531936)
207	12/11/2006	(518239)
208	12/11/2006	(518235)
209	12/27/2006	(544351)
210	01/11/2007	(532283)
211	01/18/2007	(535916)
212	01/18/2007	(536107)
213	01/22/2007	(544352)
214	01/23/2007	(536763)
215	01/30/2007	(536987)
216	01/30/2007	(536993)
217	02/16/2007	(539392)
218	02/16/2007	(539394)
219	02/16/2007	(512464)
220	02/20/2007	(539401)
221	02/21/2007	(539360)
222	02/22/2007	(539395)
223	02/22/2007	(575043)
224	02/23/2007	(539396)
225	03/12/2007	(539403)
226	03/12/2007	(539397)
227	03/12/2007	(539398)
228	03/26/2007	(575044)
229	04/12/2007	(543396)
230	04/12/2007	(543389)
231	04/12/2007	(543359)
232	04/12/2007	(543411)
233	04/12/2007	(543393)
234	04/19/2007	(575045)
235	05/23/2007	(575046)
236	06/08/2007	(543508)
237	06/13/2007	(563309)
238	06/25/2007	(575047)
239	06/26/2007	(558363)
240	07/05/2007	(565543)
241	07/05/2007	(564044)
242	07/06/2007	(560348)
243	07/23/2007	(575048)
244	08/17/2007	(571117)
245	08/17/2007	(571120)
246	08/17/2007	(571122)
247	08/17/2007	(571113)
248	08/17/2007	(571116)
249	08/22/2007	(573057)
250	08/28/2007	(566965)
251	08/28/2007	(566968)
252	08/29/2007	(572199)
253	08/30/2007	(571497)
254	09/20/2007	(607508)
255	09/27/2007	(594475)
256	09/27/2007	(593895)
257	09/28/2007	(565072)
258	10/04/2007	(565781)
259	10/16/2007	(594030)
260	10/19/2007	(607509)
261	10/31/2007	(607507)
262	11/01/2007	(598289)
263	11/01/2007	(598293)
264	11/05/2007	(597652)
265	11/06/2007	(599382)
266	11/15/2007	(619438)
267	12/03/2007	(595635)
268	12/14/2007	(609886)
269	12/17/2007	(599351)
270	12/17/2007	(610670)
271	12/17/2007	(599355)
272	12/18/2007	(619439)
273	12/20/2007	(611714)
274	12/20/2007	(611710)

275	01/17/2008	(619440)
276	01/28/2008	(595602)
277	01/29/2008	(609295)
278	02/04/2008	(595610)
279	02/13/2008	(615839)
280	02/13/2008	(615859)
281	02/14/2008	(671945)
282	02/14/2008	(609298)
283	02/15/2008	(612072)
284	02/15/2008	(618125)
285	03/11/2008	(616438)
286	03/18/2008	(671946)
287	03/18/2008	(615838)
288	03/24/2008	(639874)
289	04/03/2008	(615836)
290	04/03/2008	(617714)
291	04/11/2008	(618763)
292	04/17/2008	(671947)
293	04/21/2008	(612070)
294	04/22/2008	(640492)
295	04/25/2008	(616540)
296	04/29/2008	(639707)
297	04/29/2008	(639703)
298	04/29/2008	(639711)
299	04/29/2008	(639708)
300	04/29/2008	(639697)
301	05/20/2008	(671627)
302	06/04/2008	(646671)
303	06/06/2008	(682013)
304	06/20/2008	(683391)
305	07/02/2008	(681880)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

Date:	07/31/2003	(294923)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	10/31/2003	(294928)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	03/30/2004	(332762)		
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) 30 TAC Chapter 305, SubChapter F 305.125(17)			
Description:	NON-RPT VIOS FOR MONIT PER OR PIPE			
Date:	05/31/2004	(294920)		
Self Report?	YES		Classification	Moderate
Citation:	30 TAC Chapter 305, SubChapter F 305.125(1) TWC Chapter 26 26.121(a)			
Description:	Failure to meet the limit for one or more permit parameter			
Date:	11/16/2004	(339730)		
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT 18251 and N-011, S.C No. 4			
Description:	Failure to operate the flare within MAERT limits			
Date:	11/17/2004	(340850)		
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT 18251, S.C No.4			
Description:	Failure to prevent the leaks from the valves 30HIC4-A/B and caused the release of air contaminants from the emission point which is not listed in the MAERT.			
Date:	11/18/2004	(341009)		
Self Report?	NO		Classification	Moderate
Citation:	30 TAC Chapter 116, SubChapter B 116.115(c) 5C THC Chapter 382, SubChapter A 382.085(b)			
Rqmt Prov:	PERMIT 18251, S.C. No.4			
Description:	Failure to prevent tripping of the boiler (30H5) and relit the burners in a timely manner and caused the release of air pollutants from the emission point that was not listed in the MAERT.			

Date: 11/22/2004 (340787)
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
 Description: Failure to submit the initial notification of the emissions event within 24 hours after the start of incident.

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 32151, S.C. No.1
 Description: Failure to limit the emissions from the scrubber within the MAERT limits.
 Date: 12/13/2004 (262649)

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit No. 18251, SC #4
 Description: Solutia failed to prevent moisture from entering the igniter unit on the flare.
 Date: 12/20/2004 (335252)

Self Report? YES Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit #18251, SC #1
 Description: Sterling Chemicals failed to prevent external corrosion on a pipeline.
 Date: 12/31/2004 (351918)

Self Report? YES Classification Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 01/03/2005 (343620)

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit No. 38336, SC #4
 Description: Solutia inadvertently sent steam through the drain line to the process sewer increasing the pressure in the process sewer tank.

Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 Description: Failure to report an emissions event (Incident #45511) that occurred at the AN7 Unit in a timely manner.
 Date: 02/14/2005 (348976)

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Solutia failed to prevent a fire suppression discharge which resulted in a release of 145 pounds (lbs) of Halon 1301 (bromotrifluoromethane).
 Date: 04/04/2005 (349690)

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: The regulated entity failed to prevent a shutdown of the AN2 waste heat boiler due to the malfunction of the valve positioner.

Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
 Description: Solutia, Inc., - Chocolate Bayou Plant failed to identify on the emissions event report the permit number authorization.
 Date: 07/21/2005 (398102)

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT TCEQ Permit #18251, SC #4
 Description: Solutia failed to include the facility's authorization limit and number on the final report.

Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
 Description: Solutia failed to include the facility's authorization limit and number on the final report.
 Date: 08/24/2005 (377022)

Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18251 SC 4
 Description: Solutia failed to properly tighten a valve.

Date: 08/24/2005 (349399)
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit No. 38998, SC#4
 Description: The regulated entity failed to prevent a leak in a propylene pump.
 Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
 Description: failed to identify the permit number representing the propylene pump in the emissions event report.
 Date: 09/30/2005 (468248)
 Self Report? YES Classification Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 10/31/2005 (468249)
 Self Report? YES Classification Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 02/17/2006 (405519)
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
 Rqmt Prov: PERMIT O-02325
 Description: Failure to comply with the requirements of 30 TEX. ADMIN. CODE Chapter 106.472(9).
 Date: 03/02/2006 (457603)
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT SC 2
 Description: Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.
 Self Report? NO Classification Major
 Citation: 2A TWC Chapter 7, SubChapter A 7.101
 Rqmt Prov: ORDER Ordering Provision 3.a.
 Description: Failure to comply with ordering provisions of the Commission Order Docket No. 2002-0174-AIR-E.
 Date: 07/25/2006 (485504)
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No. 18251, Special Condition 4
 Description: Failure to prevent unauthorized emissions.
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)
 Description: Failure to maintain the AN2 Flare in good working order during facility operations.
 Date: 07/31/2006 (520096)
 Self Report? YES Classification Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 08/31/2006 (520097)
 Self Report? YES Classification Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 08/31/2006 (480128)
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Description: Failure to maintain the tank throughputs for the acetic tank and water circulating tank as represented in the permit application dated February 29, 2000 for the TCEQ Permit no. 38336.
 Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)

40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 38336, Special Condition 23.E
 OP O-02324, Special Condition 18
 OP O-02324, Special Condition 1A
 Description: Failure to install caps/plugs/flanges on eight open-ended lines in unit 70ANFUG.
 Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP O-02324, Special Condition 1A
 Description: Failure to conduct a first attempt at repair on 1 valve within five calendar days after a leak was detected in the AN 7 Unit.
 Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 38336, Special Condition 12B
 OP O-02324, Special Condition 18
 Description: Failure to maintain three pilots on the flare 70Z522.
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: PERMIT 38336, Special Condition 4
 PERMIT 38336, Special Condition 8A
 OP O-02324, Special Condition 18
 Description: Failure to maintain the NOx emissions from the boiler 70Z401 within the permit limit in the AN7 Unit.
 Date: 11/29/2006 (532004)
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT No. 38998, Special Condition 4
 Description: Failure to prevent unauthorized emissions.
 Date: 12/31/2006 (544352)
 Self Report? YES Classification Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 02/16/2007 (512464)
 Self Report? YES Classification Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP FOP O-02321, SC 12
 OP FOP O-02321, SC 1A
 PA NSR 18251 SC 14E
 PA NSR 18251, SC 12E
 Description: Failure to cap 10 open-ended lines in HRVOC and HAP service.
 Date: 02/21/2007 (539360)
 Self Report? NO Classification Moderate
 Citation: 30 TAC Chapter 331, SubChapter D 331.63(e)
 Rqmt Prov: PERMIT PROVISION VII.D.
 Description: Violation of maximum injection flow rate.
 Date: 08/31/2007 (607508)
 Self Report? YES Classification Moderate
 Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
 30 TAC Chapter 305, SubChapter F 305.125(1)
 Description: Failure to meet the limit for one or more permit parameter
 Date: 09/27/2007 (594475)
 Self Report? NO Classification Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
 5C THC Chapter 382, SubChapter D 382.085(b)
 Rqmt Prov: OP FOP No. 2324, Spec. Cond 18
 OP FOP No. 2324, Spec. Cond. 1A

PERMIT NSR Permit No. 38336, Spec. Cond. 20E

Description: Failure to seal four (4) open ended lines in VOC service during the compliance period.

Date: 10/31/2007 (619438)

Self Report? YES Classification Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 01/29/2008 (595602)

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01258, General Terms and Conditions

Description: Failure to submit the November 30, 2005 semi-annual deviation report within 30 days after the end of the reporting period.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-01258, General Terms and Conditions

Description: Failure to submit a complete semi-annual report and annual compliance certification containing all terms and conditions of the permit for which compliance was not achieved.

Date: 03/31/2008 (671947)

Self Report? YES Classification Moderate

Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)

Description: Failure to meet the limit for one or more permit parameter

Date: 04/11/2008 (618763)

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT NSR 6534 Special Condition 18E.
OP O-02319 Special Condition 1A
OP O-02319 Special Condition 20

Description: Failure to maintain open ended lines.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: OP O-02319 Special Condition 1A

Description: Failure to perform annual benzene tank inspections.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT NSR 6534 Special Condition 5
OP O-02319 Special Condition 1A
OP O-02319 Special Condition 20

Description: Failure to maintain heating value of fuel gas.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT NSR 6534 Special Condition 9B
OP O-02319 Special Condition 1A
OP O-02319 Special Condition 20

Description: Failure to maintain flame on process flare 50Z2-C.

Self Report? NO Classification Minor

Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: PERMIT NSR 6534 Special Condition 10F
PERMIT NSR 6534 Special Condition 18F
OP O-02319 Special Condition 1A
OP O-02319 Special Condition 20

Description: Failure to monitor delay of repair components on a quarterly frequency.

F. Environmental audits.

Notice of Intent Date: 09/23/2004 (347742)

No DOV Associated

Notice of Intent Date: 01/03/2006 (453378)

No DOV Associated

Notice of Intent Date: 04/07/2006 (462917)

Disclosure Date: 11/14/2006

Viol. Classification: Minor

Citation: 30 TAC Chapter 115, SubChapter B 115.143(c)(3)

30 TAC Chapter 122, SubChapter B 122.142

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(a)(3)

Description: Failure to submit written notification to the regional office or local pollution control office for 57T5 wastewater streams subject to 115 rules. Failure to include 57T5 tank and applicable requirements in NOCS and accurately represent in the Title V permit.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.143(c)(1)

Description: Failure to consider all unit 57T5 VOC's in streams as HAP's.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.142

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(a)(3)

Description: Failure to represent ch. 115, Subchapter B, Division 2 Vent Gas Controls that applies to 57T5 in the NOCS or Title V Permit, and amend the Title V permit to reflect that Tanks 57T5, 57T6, and 57T10 are surge control storage vessels that are exempt from permit requirements due to capacity.

Viol. Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116

30 TAC Chapter 122, SubChapter B 122.142

40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(a)(3)

Description: Failure to include or accurately represent Tank Nos. 57T3, 57T6, 57T5, 57T10, 57T11, 57T35, 57T32, 57R1-1 and 57R1-2 in the NOCS and the Title V and NSR permits.

Notice of Intent Date: 05/25/2006 (481532)

Disclosure Date: 11/14/2006

Viol. Classification: Minor

Rqmt Prov: PERMIT 32151, SC 8A

Description: Failure to notify the regional office 45 days prior to schedule stack sampling for scrubber 83S14 and 83S6.

Notice of Intent Date: 04/23/2007 (559025)

No DOV Associated

Notice of Intent Date: 01/31/2008 (641816)

No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision April 29, 2008

TCEQ

DATES

Assigned 28-Apr-2008

PCW 22-Oct-2008

Screening 4-Jun-2008

EPA Due 13-Jan-2009

RESPONDENT/FACILITY INFORMATION

Respondent Solutia Inc.

Reg. Ent. Ref. No. RN100238682

Facility/Site Region 12-Houston

Major/Minor Source Major

CASE INFORMATION

Enf./Case ID No. 36002

Docket No. 2008-0062-AIR-E

Media Program(s) Air

Multi-Media

Admin. Penalty \$ Limit Minimum \$0 Maximum \$10,000

No. of Violations 2

Order Type 1660

Enf. Coordinator Miriam Hall

EC's Team Enforcement Team 4

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)

Subtotal 1 \$15,000

ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History

190.0% Enhancement

Subtotals 2, 3, & 7

\$28,500

Notes The penalty was enhanced for four 1660 orders, 16 NOVs for same or similar violations, and 20 other NOVs. The penalty was reduced for six Notices of Audit and two disclosures of Violations.

Culpability

No

0.0% Enhancement

Subtotal 4

\$0

Notes The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply

0.0% Reduction

Subtotal 5

\$0

Before NOV

NOV to EDRP/Settlement Offer

Extraordinary

Ordinary

N/A

X

(mark with x)

Notes The Respondent does not meet the good faith criteria.

0.0% Enhancement*

Subtotal 6

\$0

Total EB Amounts

\$546

Approx. Cost of Compliance

\$6,200

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7

Final Subtotal

\$43,500

OTHER FACTORS AS JUSTICE MAY REQUIRE

0.0%

Adjustment

\$0

Reduces or enhances the Final Subtotal by the indicated percentage.

Notes

Final Penalty Amount

\$43,500

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty

\$43,500

DEFERRAL

Reduction

Adjustment

\$0

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral not offered for non-expedited settlement.

PAYABLE PENALTY

\$43,500

EXHIBIT

tabbies

PCW-6

Screening Date 4-Jun-2008

Docket No. 2008-0062-AIR-E

PCW

Respondent Solutia Inc.

Policy Revision 2 (September 2002)

Case ID No. 36002

PCW Revision April 29, 2008

Reg. Ent. Reference No. RN100238682

Media [Statute] Air

Enf. Coordinator Miriam Hall

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	16	80%
	Other written NOVs	20	40%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	4	80%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	6	-6%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	2	-4%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 190%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance
History
Notes

The penalty was enhanced for four 1660 orders, 16 NOVs for same or similar violations, and 20 other NOVs. The penalty was reduced for six Notices of Audit and two disclosures of Violations.

Total Adjustment Percentage (Subtotals 2, 3, & 7) 190%

Screening Date 4-Jun-2008		Docket No. 2008-0062-AIR-E		PCW	
Respondent Solutia Inc.		<i>Policy Revision 2 (September 2002)</i>			
Case ID No. 36002		<i>PCW Revision April 29, 2008</i>			
Reg. Ent. Reference No. RN100238682					
Media [Statute] Air					
Enf. Coordinator Miriam Hall					
Violation Number		<div style="border: 1px solid black; padding: 2px;">1</div>			
Rule Cite(s)		<div style="border: 1px solid black; padding: 2px;">30 Tex. Admin. Code § 116.115(c), Permit No. 18251, Special Condition No. 4, and Tex. Health & Safety Code § 382.085(b)</div>			
Violation Description		<div style="border: 1px solid black; padding: 2px;">Failed to prevent unauthorized emissions on November 26, 2007 when the secondary backup pump, Pump 350P1-3, failed to start automatically when the primary boiler feed water pump, Pump 350P1-2 failed. Specifically, during the emissions event which lasted five minutes, the total unauthorized emission were 355.59 pounds ("lbs") of volatile organic compounds and 50.54 lbs of hydrogen cyanide. Because these emissions could have been foreseen and avoided by good operating practices, the demonstrations for an affirmative defense in 30 Tex. Admin. Code § 101.222 could not be met.</div>			
Base Penalty					<div style="border: 1px solid black; padding: 2px;">\$10,000</div>
>> Environmental, Property and Human Health Matrix					
OR	Harm				
	Release	Major	Moderate	Minor	
	Actual	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	x	
	Potential	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	Percent <div style="border: 1px solid black; padding: 2px;">25%</div>
>> Programmatic Matrix					
	Falsification	Major	Moderate	Minor	
	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>	Percent <div style="border: 1px solid black; padding: 2px;">0%</div>
Matrix Notes	<div style="border: 1px solid black; padding: 2px;">Human health or the environment has been exposed to insignificant emissions which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.</div>				
Adjustment					<div style="border: 1px solid black; padding: 2px;">\$7,500</div>
					<div style="border: 1px solid black; padding: 2px;">\$2,500</div>
Violation Events					
Number of Violation Events		<div style="border: 1px solid black; padding: 2px;">1</div>	Number of violation days <div style="border: 1px solid black; padding: 2px;">1</div>		
mark only one with an x	daily	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>			
	monthly	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>			
	quarterly	x			
	semiannual	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>			
	annual	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>			
	single event	<div style="border: 1px solid black; width: 50px; height: 15px;"></div>			
Violation Base Penalty					<div style="border: 1px solid black; padding: 2px;">\$2,500</div>
<div style="border: 1px solid black; padding: 5px; text-align: center;">One quarterly event is recommended.</div>					
Economic Benefit (EB) for this violation			Statutory Limit Test		
Estimated EB Amount		<div style="border: 1px solid black; padding: 2px;">\$5</div>	Violation Final Penalty Total		<div style="border: 1px solid black; padding: 2px;">\$7,250</div>
This violation Final Assessed Penalty (adjusted for limits)					<div style="border: 1px solid black; padding: 2px;">\$7,250</div>

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 36002
Reg. Ent. Reference No. RN100238682
Media Air
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost No commas or \$	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)	\$200	26-Nov-2007	2-Jun-2008	0.52	\$5	n/a	\$5

Notes for DELAYED costs

The estimated cost of changing standard operating procedures/work practices from the date of the violation to the date "Operate High Pressure Feedwater Pumps, Work Practice HPFW-42.21" and associated check lists were updated to verify that the pump and backup pump(s) switches are set to auto start to prevent a similar incident in the future.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$200

TOTAL

\$5

Screening Date 4-Jun-2008

Docket No. 2008-0062-AIR-E

PCW

Respondent Solutia Inc.

Policy Revision 2 (September 2002)

Case ID No. 36002

PCW Revision April 29, 2008

Reg. Ent. Reference No. RN100238682

Media [Statute] Air

Enf. Coordinator Miriam Hall

Violation Number 2

Rule Cite(s) 30 Tex. Admin. Code § 116.115(c), Permit No. 6534, Special Condition No. 1, and Tex. Health & Safety Code § 382.085(b)

Violation Description

Failed to comply with the combined maximum allowable emission rate ("MAER") for nitrogen oxides ("NOx") for seven Linear Alkyl Benzene ("LAB") Unit heaters during stack testing conducted February 27-28, 2007 and March 1-2 and 14, 2007. Specifically, the combined NOx MAER for Heaters 50H1-1, 50H1-2, 50H1-3, 50H3, 51H1, 51H5, and 51H6 is 18.0 lbs per hour ("lbs/hr"). During testing, the actual combined rate was 21.85 lbs/hr.

Base Penalty \$10,000

>> Environmental, Property and Human Health Matrix

OR

	Harm		
Release	Major	Moderate	Minor
Actual			x
Potential			

Percent 25%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor

Percent 0%

Matrix Notes

Human health or the environment has been exposed to insignificant emissions which do not exceed levels that are protective of human health or environmental receptors as a result of this violation.

Adjustment \$7,500

\$2,500

Violation Events

Number of Violation Events 5

448 Number of violation days

mark only one
with an x

daily	
monthly	
quarterly	x
semiannual	
annual	
single event	

Violation Base Penalty \$12,500

Five quarterly events are recommended from the last day of testing through the screening date (June 4, 2008).

Economic Benefit (EB) for this violation

Statutory Limit Test

Estimated EB Amount \$541

Violation Final Penalty Total \$36,250

This violation Final Assessed Penalty (adjusted for limits) \$36,250

Economic Benefit Worksheet

Respondent Solutia Inc.
Case ID No. 36002
Reg. Ent. Reference No. RN100238682
Media Air
Violation No. 2

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							

Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling	\$6,000	14-Mar-2007	31-Dec-2008	1.80	\$541	n/a	\$541
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs				0.00	\$0	n/a	\$0
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

The estimated cost of retesting Heaters 50H1-1 and 51H1 from the date of violation to estimated compliance date.

Avoided Costs

ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/equipment				0.00	\$0	\$0	\$0
Financial Assurance [2]				0.00	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$6,000

TOTAL

\$541

Compliance History

Customer/Respondent/Owner-Operator:

CN600132856

Solutia Inc.

Classification: AVERAGE

Rating: 2.30

Regulated Entity:

RN100238682

CHOCOLATE BAYOU PLANT

Classification: AVERAGE

Site Rating: 1.61

ID Number(s):

AIR OPERATING PERMITS	ACCOUNT NUMBER	BL0038U
AIR OPERATING PERMITS	PERMIT	1258
AIR OPERATING PERMITS	PERMIT	2317
AIR OPERATING PERMITS	PERMIT	2318
AIR OPERATING PERMITS	PERMIT	2319
AIR OPERATING PERMITS	PERMIT	2320
AIR OPERATING PERMITS	PERMIT	2321
AIR OPERATING PERMITS	PERMIT	2322
AIR OPERATING PERMITS	PERMIT	2323
AIR OPERATING PERMITS	PERMIT	2324
AIR OPERATING PERMITS	PERMIT	2325
PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	0200049
WASTEWATER	PERMIT	WQ0000001000
WASTEWATER	PERMIT	TPDES0003875
WASTEWATER	PERMIT	TX0003875
AIR NEW SOURCE PERMITS	PERMIT	2271
AIR NEW SOURCE PERMITS	PERMIT	3046
AIR NEW SOURCE PERMITS	PERMIT	5065
AIR NEW SOURCE PERMITS	PERMIT	5084
AIR NEW SOURCE PERMITS	PERMIT	5336
AIR NEW SOURCE PERMITS	PERMIT	6534
AIR NEW SOURCE PERMITS	PERMIT	8372
AIR NEW SOURCE PERMITS	PERMIT	14488
AIR NEW SOURCE PERMITS	PERMIT	18130
AIR NEW SOURCE PERMITS	PERMIT	18251
AIR NEW SOURCE PERMITS	PERMIT	28694
AIR NEW SOURCE PERMITS	PERMIT	32151
AIR NEW SOURCE PERMITS	PERMIT	34029
AIR NEW SOURCE PERMITS	PERMIT	38336
AIR NEW SOURCE PERMITS	PERMIT	38998
AIR NEW SOURCE PERMITS	PERMIT	39171
AIR NEW SOURCE PERMITS	PERMIT	39643
AIR NEW SOURCE PERMITS	PERMIT	48895
AIR NEW SOURCE PERMITS	ACCOUNT NUMBER	BL0038U
AIR NEW SOURCE PERMITS	REGISTRATION	75639
AIR NEW SOURCE PERMITS	REGISTRATION	76211
AIR NEW SOURCE PERMITS	AFS NUM	4803900009
AIR NEW SOURCE PERMITS	REGISTRATION	71232
AIR NEW SOURCE PERMITS	EPA ID	PSDTX307A
AIR NEW SOURCE PERMITS	REGISTRATION	71063
AIR NEW SOURCE PERMITS	EPA ID	PSDTP910
AIR NEW SOURCE PERMITS	REGISTRATION	72689
AIR NEW SOURCE PERMITS	REGISTRATION	72545
AIR NEW SOURCE PERMITS	REGISTRATION	74040
AIR NEW SOURCE PERMITS	REGISTRATION	73707
AIR NEW SOURCE PERMITS	REGISTRATION	74788
AIR NEW SOURCE PERMITS	REGISTRATION	75318
AIR NEW SOURCE PERMITS	REGISTRATION	77064
AIR NEW SOURCE PERMITS	REGISTRATION	77079
AIR NEW SOURCE PERMITS	REGISTRATION	78148
AIR NEW SOURCE PERMITS	REGISTRATION	78728
AIR NEW SOURCE PERMITS	REGISTRATION	79253
AIR NEW SOURCE PERMITS	REGISTRATION	80379
AIR NEW SOURCE PERMITS	REGISTRATION	80616
AIR NEW SOURCE PERMITS	REGISTRATION	83875
AIR NEW SOURCE PERMITS	REGISTRATION	83109
RADIOACTIVE WASTE DISPOSAL	LICENSE	RW0219
UNDERGROUND INJECTION CONTROL	PERMIT	WDW013
UNDERGROUND INJECTION CONTROL	PERMIT	WDW224
UNDERGROUND INJECTION CONTROL	PERMIT	WDW318
UNDERGROUND INJECTION CONTROL	PERMIT	WDW326

EXHIBIT

tabbles

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UNDERGROUND INJECTION CONTROL	PERMIT	WDW359
UNDERGROUND INJECTION CONTROL	PERMIT	WDW002
UNDERGROUND INJECTION CONTROL	PERMIT	WDW001
INDUSTRIAL AND HAZARDOUS WASTE PROCESSING	EPA ID	TXD001700806
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	SOLID WASTE REGISTRATION # (SWR)	30138
INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXD001700806
STORMWATER	PERMIT	TXR050891
WATER LICENSING	LICENSE	0200049
INDUSTRIAL AND HAZARDOUS WASTE COMPLIANCE PLANS	PERMIT	50189
IHW CORRECTIVE ACTION	SOLID WASTE REGISTRATION # (SWR)	30138
INDUSTRIAL AND HAZARDOUS WASTE POST CLOSURE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189
INDUSTRIAL AND HAZARDOUS WASTE STORAGE	PERMIT	50189

Location: On FM 2917, approximately eight miles south of the Texas Highway 35, in Brazoria County, TX, Rating Date: September 01 07 Repeat Violator: NO

TCEQ Region: REGION 12 - HOUSTON

Date Compliance History Prepared: June 04, 2008

Agency Decision Requiring Compliance History: Enforcement

Compliance Period: June 04, 2003 to June 04, 2008

TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History

Name: Miriam Hall Phone: (512) 239-1044

Site Compliance History Components

- | | |
|--|------------|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period? | No |
| 3. If Yes, who is the current owner? | <u>N/A</u> |
| 4. If Yes, who was/were the prior owner(s)? | <u>N/A</u> |
| 5. When did the change(s) in ownership occur? | <u>N/A</u> |

Components (Multimedia) for the Site :

A. Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.

1. Effective Date: 10/10/2003 ADMINORDER 2002-0174-AIR-E (1660)

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
 30 TAC Chapter 116, SubChapter B 116.115(c)
 40 CFR Part 63, Subpart G 63.120(b)(9)
 5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to notify the TCEQ in writing 30 days in advance of seal gap measurements taken in affiliation with the 1999, 2000, and 2001 annual external floating roof tank inspection of tanks 332T1-1 and 332T1-2.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120

30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Part 63, Subpart G 63.133(d)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC 2 PERMIT

Description: Failure to adequately conduct the 2001 seal gap measurements and generate raw data and calculations relating to external floating roof tank 332T1-1.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: SC5C PERMIT

Description: Failure to conduct stack testing of incinerator 55H2 within 60 days of start-up of the facilities.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.152(c)(2)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit a complete periodic report. Specifically, the periodic report submitted on April 25, 2000 for the October 1999 to March 2000 reporting period did not reference or include data pertaining to incinerator EPN 55H2.

Classification: Minor

Citation: 30 TAC Chapter 113, SubChapter C 113.120
40 CFR Part 63, Subpart G 63.118(f)(3)
5C THC Chapter 382, SubChapter A 382.085(b)

Description: Failed to submit complete periodic reports.

Classification: Moderate

Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(b)(1)
40 CFR Part 63, Subpart G 63.120(d)(2)(i)
40 CFR Part 63, Subpart G 63.122(b)

Rqmt Prov: SC2 PERMIT

Description: Failure to have an adequate monitoring plan for absorbers 320S322-1 and 320S322-2, that ensures the absorbers are being properly operated and maintained.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)(2)(C)
30 TAC Chapter 116, SubChapter B 116.115(b)(2)(G)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Not specified PERMIT

Description: Failure to comply with the Maximum Allowable Emission Rates Table (MAERT) contained in TCEQ Air Permit No. 38336 for waste heat boiler EPN 70Z401 by emitting VOCs at 9.52 pounds per hour (lbs./hr) when the permitted limit is 8.89 lbs./hr.

2. Effective Date: 02/20/2006

ADMINORDER 2005-0555-AIR-E (1660)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #39171, SC#4 PA

Description: Equistar failed to close the automatic inlet valve to the incinerator.

3. Effective Date: 11/19/2007

ADMINORDER 2005-0166-AIR-E (1660)

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failed to report the November 17, 2004 emissions event within 24 hours after its discovery. Specifically, the emissions event that was discovered on November 17, 2004 was not reported until December 22, 2004 as documented during an investigation conducted from April 22, 2005 to May 2, 2005.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 18251, SC#4 PA

Description: Failure to comply with permitted emissions limit during an emissions event on November 17, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)

Rqmt Prov: O-02317, ST&C 3A(iii) OP

Description: Failure to maintain records documenting quarterly opacity observations of tank 55T12 and scrubber 55K1, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA Unit.

Classification: Moderate

Citation: 30 TAC Chapter 115, SubChapter B 115.146(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to maintain records documenting the VOC concentration of the exhaust gas associated with 578T5 in order to demonstrate proper function of the carbon canister control equipment, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: NSR 2271, GC 8 PERMIT

Description: Failure to comply with the permitted short-term ammonia emissions limits for scrubber 55K1, as reported in a deviation report for the period of December 1, 2004 through May 31, 2005 for the NTA unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(b)
30 TAC Chapter 116, SubChapter B 116.116(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: NSR 2271, GC 1 PERMIT

Description: Failure to comply with the permit representations relating to annual HTMA production, annual ammonia usage, and annual ammonia production, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the NTA unit.

Classification: Moderate

Citation: 30 TAC Chapter 122, SubChapter B 122.132(e)(2)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to include the following emission units in the Title V application: 55S101, 55S102, 55S103, and 55S104.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)
5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to obtain authorization for the carbon absorption system on wastewater tank 57T5 prior to installation, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Condition No. 1 OP

Description: Failure to operate residue strip tank 57T34 on June 12 and 28, 2004 and August 16, 2004 within temperature ranges specified in the permit application, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.116(b)(1)(C)
5C THC Chapter 382, SubChapter D 382.085(b)

Rqmt Prov: General Condition No. 8 OP

Description: Failure to include all gas streams going to vent condenser 57E22 from exceeding rolling annual permitted emissions limits, as reported in a deviation report for the period of June 1, 2004 through November 30, 2004 for the DPO unit.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: 18251 and N-011, SC No. 4 PA

Description: Failure to prevent unauthorized emissions during an October 9, 2005 emissions event.

4. Effective Date: 01/28/2008

ADMINORDER 2006-1599-AIR-E (1660)

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit #18251, SC #4 PA

Description: Failure to prevent unauthorized emissions during a January 11, 2004 emissions event.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report an emissions event within 24 hours after its discovery.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THC Chapter 382, SubChapter D 382.085(b)

Description: Failure to report an emissions event within 24 hours after its discovery.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: Permit No. 18251, SC No. 4 PERMIT

Description: Failure to prevent unauthorized emissions during an emissions event that started on November 15, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 18251 PA

Description: Failure to prevent unauthorized emissions during an emissions event that started on November 1, 2004.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: TCEQ Air Permit No. 18251, SC #4 PA

Description: Failure to prevent unauthorized emissions during an emissions event that started on November 2, 2004.

Classification: Minor

Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)

5C THC Chapter 382, SubChapter D 382.085(b)

Description: Solutia failed to submit an emissions event report within 24 hours after discovery of the event, Incident No. 68042. Specifically, the emissions event was discovered on November 12, 2005 at 0944, but was not reported until November 15, 2005 at 1441.

Classification: Moderate

Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)

5C THC Chapter 382, SubChapter A 382.085(b)

Rqmt Prov: No. 18251, Special Condition No. 4 PERMIT

Description: Solutia failed to prevent unauthorized emissions during an emissions event, Incident 68043, that occurred on November 12, 2005 and lasted 1 hour and 25 minutes.

B. Any criminal convictions of the state of Texas and the federal government.

N/A

C. Chronic excessive emissions events.

N/A

D. The approval dates of investigations. (CCEDS Inv. Track. No.)

1	06/20/2003	(157050)
2	07/01/2003	(36597)
3	07/22/2003	(157054)
4	08/14/2003	(148336)
5	08/14/2003	(148343)
6	08/19/2003	(149876)
7	08/21/2003	(151361)
8	08/21/2003	(151374)
9	08/25/2003	(150697)
10	08/25/2003	(294923)
11	09/11/2003	(248057)
12	09/11/2003	(248048)
13	09/23/2003	(294925)
14	10/21/2003	(294927)
15	10/27/2003	(281097)
16	10/29/2003	(253450)
17	10/29/2003	(253464)
18	11/12/2003	(253266)
19	11/12/2003	(252275)
20	11/21/2003	(294928)
21	11/25/2003	(255837)
22	11/25/2003	(255830)

23	11/25/2003	(250820)
24	11/25/2003	(255834)
25	11/25/2003	(255835)
26	12/02/2003	(255621)
27	12/18/2003	(257385)
28	12/18/2003	(257514)
29	12/23/2003	(294929)
30	01/12/2004	(258960)
31	01/12/2004	(258944)
32	01/16/2004	(255951)
33	01/23/2004	(294931)
34	02/23/2004	(294912)
35	02/26/2004	(255896)
36	02/27/2004	(262913)
37	02/27/2004	(262943)
38	02/27/2004	(263910)
39	02/27/2004	(262933)
40	02/27/2004	(262947)
41	02/27/2004	(262922)
42	03/22/2004	(294915)
43	03/29/2004	(267307)
44	03/30/2004	(332762)
45	04/12/2004	(253529)
46	04/13/2004	(265167)
47	04/16/2004	(267638)
48	04/20/2004	(294916)
49	05/25/2004	(294918)
50	06/17/2004	(273007)
51	06/21/2004	(294920)
52	07/23/2004	(351912)
53	07/30/2004	(284372)
54	08/03/2004	(283906)
55	08/19/2004	(351913)
56	08/31/2004	(271365)
57	09/01/2004	(271988)
58	09/01/2004	(270694)
59	09/01/2004	(272089)
60	09/01/2004	(289574)
61	09/20/2004	(351914)
62	09/23/2004	(334052)
63	09/23/2004	(334055)
64	10/13/2004	(337045)
65	10/13/2004	(337038)
66	10/22/2004	(351915)
67	10/22/2004	(351918)
68	11/03/2004	(333514)
69	11/03/2004	(333511)
70	11/04/2004	(351917)
71	11/05/2004	(338995)
72	11/05/2004	(337520)
73	11/16/2004	(334879)
74	11/16/2004	(340676)
75	11/16/2004	(340661)
76	11/16/2004	(339730)
77	11/16/2004	(340570)
78	11/17/2004	(340850)
79	11/22/2004	(340787)
80	11/23/2004	(341009)
81	12/09/2004	(343333)
82	12/09/2004	(343311)
83	12/10/2004	(263071)
84	12/10/2004	(260541)
85	12/10/2004	(263070)
86	12/13/2004	(262649)
87	12/14/2004	(343317)
88	12/14/2004	(343284)
89	12/15/2004	(351916)
90	12/16/2004	(336194)

91	12/17/2004	(344033)
92	12/20/2004	(338296)
93	12/20/2004	(335252)
94	12/20/2004	(338265)
95	12/22/2004	(381756)
96	12/23/2004	(336768)
97	12/28/2004	(344974)
98	12/30/2004	(343622)
99	12/30/2004	(345394)
100	01/03/2005	(343620)
101	01/03/2005	(343624)
102	01/14/2005	(345345)
103	02/14/2005	(349294)
104	02/14/2005	(348976)
105	02/21/2005	(349363)
106	02/22/2005	(381755)
107	02/24/2005	(349397)
108	02/28/2005	(347701)
109	03/24/2005	(419586)
110	04/04/2005	(349690)
111	04/06/2005	(376386)
112	04/06/2005	(376392)
113	04/06/2005	(376398)
114	04/06/2005	(376425)
115	04/06/2005	(376432)
116	04/06/2005	(376403)
117	04/08/2005	(376952)
118	04/18/2005	(419587)
119	04/19/2005	(376908)
120	04/25/2005	(377968)
121	05/11/2005	(348724)
122	05/16/2005	(380841)
123	05/23/2005	(419588)
124	05/31/2005	(379386)
125	05/31/2005	(374702)
126	05/31/2005	(379380)
127	06/08/2005	(348652)
128	06/13/2005	(345346)
129	06/23/2005	(419589)
130	06/29/2005	(394959)
131	07/19/2005	(440731)
132	07/21/2005	(398102)
133	08/16/2005	(440732)
134	08/19/2005	(404318)
135	08/24/2005	(377022)
136	08/24/2005	(405509)
137	08/24/2005	(349399)
138	08/24/2005	(405513)
139	08/25/2005	(401920)
140	08/29/2005	(401919)
141	08/30/2005	(401906)
142	09/01/2005	(401916)
143	09/19/2005	(440733)
144	10/04/2005	(379884)
145	10/11/2005	(399217)
146	10/21/2005	(433182)
147	10/21/2005	(433183)
148	10/24/2005	(468248)
149	11/28/2005	(468249)
150	12/20/2005	(435369)
151	12/20/2005	(439435)
152	12/20/2005	(468250)
153	12/30/2005	(434386)
154	01/09/2006	(439878)
155	01/23/2006	(468251)
156	01/24/2006	(440227)
157	01/24/2006	(440219)
158	01/30/2006	(438969)

159	02/14/2006	(453399)
160	02/14/2006	(453392)
161	02/16/2006	(405519)
162	02/21/2006	(438633)
163	03/03/2006	(457603)
164	03/20/2006	(498075)
165	04/17/2006	(460779)
166	04/19/2006	(451614)
167	04/24/2006	(498076)
168	04/30/2006	(468247)
169	05/12/2006	(464820)
170	05/12/2006	(464822)
171	05/12/2006	(464824)
172	05/12/2006	(464828)
173	05/12/2006	(464827)
174	05/16/2006	(457449)
175	05/17/2006	(458668)
176	05/18/2006	(451024)
177	05/18/2006	(449724)
178	05/22/2006	(498077)
179	05/31/2006	(466924)
180	05/31/2006	(466929)
181	05/31/2006	(466931)
182	05/31/2006	(466932)
183	06/05/2006	(463415)
184	06/21/2006	(467669)
185	06/21/2006	(480974)
186	06/23/2006	(498078)
187	06/29/2006	(482600)
188	06/29/2006	(482575)
189	06/29/2006	(466692)
190	07/10/2006	(464446)
191	07/20/2006	(467521)
192	07/25/2006	(485504)
193	07/26/2006	(520095)
194	08/17/2006	(497124)
195	08/21/2006	(520096)
196	08/23/2006	(486778)
197	08/31/2006	(480128)
198	09/15/2006	(511153)
199	09/21/2006	(520097)
200	10/23/2006	(544349)
201	10/27/2006	(516020)
202	10/27/2006	(516053)
203	11/08/2006	(518116)
204	11/29/2006	(531921)
205	11/29/2006	(532004)
206	11/29/2006	(544350)
207	12/07/2006	(532264)
208	12/08/2006	(531936)
209	12/11/2006	(518239)
210	12/11/2006	(518235)
211	12/27/2006	(544351)
212	01/11/2007	(532283)
213	01/18/2007	(535916)
214	01/18/2007	(536107)
215	01/22/2007	(544352)
216	01/23/2007	(536763)
217	01/30/2007	(536987)
218	01/30/2007	(536993)
219	02/16/2007	(539392)
220	02/16/2007	(539394)
221	02/16/2007	(512464)
222	02/20/2007	(539401)
223	02/21/2007	(539360)
224	02/22/2007	(539395)
225	02/22/2007	(575043)
226	02/23/2007	(539396)

227	03/12/2007	(539403)
228	03/12/2007	(539397)
229	03/12/2007	(539398)
230	03/26/2007	(575044)
231	04/12/2007	(543396)
232	04/12/2007	(543389)
233	04/12/2007	(543359)
234	04/12/2007	(543411)
235	04/12/2007	(543393)
236	04/19/2007	(575045)
237	05/23/2007	(575046)
238	06/08/2007	(543508)
239	06/13/2007	(563309)
240	06/25/2007	(575047)
241	06/26/2007	(558363)
242	07/05/2007	(565543)
243	07/05/2007	(564044)
244	07/06/2007	(560348)
245	07/23/2007	(575048)
246	08/17/2007	(571117)
247	08/17/2007	(571120)
248	08/17/2007	(571122)
249	08/17/2007	(571113)
250	08/17/2007	(571116)
251	08/22/2007	(573057)
252	08/28/2007	(566965)
253	08/28/2007	(566968)
254	08/29/2007	(572199)
255	08/30/2007	(571497)
256	09/20/2007	(607508)
257	09/27/2007	(594475)
258	09/27/2007	(593895)
259	09/28/2007	(565072)
260	10/04/2007	(565781)
261	10/16/2007	(594030)
262	10/19/2007	(607509)
263	10/31/2007	(607507)
264	11/01/2007	(598289)
265	11/01/2007	(598293)
266	11/05/2007	(597652)
267	11/06/2007	(599382)
268	11/15/2007	(619438)
269	12/03/2007	(595635)
270	12/14/2007	(609886)
271	12/17/2007	(599351)
272	12/17/2007	(610670)
273	12/17/2007	(599355)
274	12/18/2007	(619439)
275	12/20/2007	(611714)
276	12/20/2007	(611710)
277	01/17/2008	(619440)
278	01/28/2008	(595602)
279	01/29/2008	(609295)
280	02/04/2008	(595610)
281	02/13/2008	(615839)
282	02/13/2008	(615859)
283	02/14/2008	(671945)
284	02/14/2008	(609298)
285	02/15/2008	(612072)
286	02/15/2008	(618125)
287	03/11/2008	(616438)
288	03/18/2008	(671946)
289	03/18/2008	(615838)
290	03/24/2008	(639874)
291	04/03/2008	(615836)
292	04/03/2008	(617714)
293	04/11/2008	(618763)
294	04/17/2008	(671947)

295 04/21/2008 (612070)
 296 04/22/2008 (640492)
 297 04/25/2008 (616540)
 298 04/29/2008 (639707)
 299 04/29/2008 (639703)
 300 04/29/2008 (639711)
 301 04/29/2008 (639708)
 302 04/29/2008 (639697)
 303 05/20/2008 (671627)

E. Written notices of violations (NOV). (CCEDS Inv. Track. No.)

1. Date: 07/31/2003 (294923)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
2. Date: 10/31/2003 (294928)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
3. Date: 03/30/2004 (332762)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 30 TAC Chapter 305, SubChapter F 305.125(17)
 Description: NON-RPT VIOS FOR MONIT PER OR PIPE
4. Date: 05/31/2004 (294920)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
5. Date: 11/16/2004 (339730)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18251 and N-011, S.C No. 4
 Description: Failure to operate the flare within MAERT limits
6. Date: 11/17/2004 (340850)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18251, S.C No.4
 Description: Failure to prevent the leaks from the valves 30HIC4-A/B and caused the release of air contaminants from the emission point which is not listed in the MAERT.
7. Date: 11/18/2004 (341009)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18251, S.C. No.4
 Description: Failure to prevent tripping of the boiler (30H5) and relit the burners in a timely manner and caused the release of air pollutants from the emission point that was not listed in the MAERT.
8. Date: 11/22/2004 (340787)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)
 Description: Failure to to submit the initial notification of the emissions event within 24 hours after the start of incident.
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 32151, S.C. No.1
 Description: Failure to limit the emissions from the scrubber within the MAERT limits.
9. Date: 12/13/2004 (262649)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)₁₀

- 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit No. 18251, SC #4
 Description: Solutia failed to prevent moisture from entering the igniter unit on the flare (emissions).
10. Date: 12/20/2004 (335252)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit #18251, SC #1
 Description: Sterling Chemicals failed to prevent external corrosion on a pipeline (emissions).
11. Date: 12/31/2004 (351918)
 Self Report? YES Classification: Moderate
 Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
 TWC Chapter 26 26.121(a)
 Description: Failure to meet the limit for one or more permit parameter
12. Date: 01/03/2005 (343620)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit No. 38336, SC #4
 Description: Solutia inadvertently sent steam through the drain line to the process sewer increasing the pressure in the process sewer tank. (emissions)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(a)(1)(B)
 Description: Failure to report an emissions event (Incident #45511) that occurred at the AN7 Unit in a timely manner.
13. Date: 02/14/2005 (348976)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: Solutia failed to prevent a fire suppression discharge which resulted in a release of 145 pounds (lbs) of Halon 1301 (bromotrifluoromethane).
14. Date: 04/04/2005 (349690)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Description: The regulated entity failed to prevent a shutdown of the AN2 waste heat boiler due to the malfunction of the valve positioner. (emissions)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
 Description: Solutia, Inc., - Chocolate Bayou Plant failed to identify on the emissions event report the permit number authorization.
15. Date: 07/21/2005 (398102)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT TCEQ Permit #18251, SC #4
 Description: Solutia failed to include the facility's authorization limit and number on the final report and unauthorized emissions.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
 Description: Solutia failed to include the facility's authorization limit and number on the final report.
16. Date: 08/24/2005 (377022)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PERMIT 18251 SC 4
 Description: Solutia failed to properly tighten a valve.
17. Date: 08/24/2005 (349399)
 Self Report? NO Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 5C THC Chapter 382, SubChapter A 382.085(b)
 Rqmt Prov: PA TCEQ Air Permit No. 38998, SC#4
 Description: The regulated entity failed to prevent a leak in a propylene pump.

- Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 101, SubChapter F 101.201(b)(8)
Description: failed to identify the permit number representing the propylene pump in the emissions event report.
18. Date: 09/30/2005 (468248)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter
19. Date: 10/31/2005 (468249)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter
20. Date: 02/16/2006 (405519)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 111, SubChapter A 111.111(a)(1)(B)
Description: Failure to record quarterly opacity observation on Unit ID: 350H1-1
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 115, SubChapter B 115.142(1)(E)
Description: Solutia, Inc., failed to equipt Unit IDs:P-10 and P-13, with a Close-Vent system.
21. Date: 02/17/2006 (405519)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.110(a)(1)
Rqmt Prov: PERMIT O-02325
Description: Failure to comply with the requirements of 30 TEX. ADMIN. CODE Chapter 106.472(9).
22. Date: 03/02/2006 (457603)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 113, SubChapter C 113.120
30 TAC Chapter 116, SubChapter B 116.115(c)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT F 63.104(c)(1)(ii)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT SC 2
Description: Failure to have a monitoring plan that indicates the monitoring parameter levels that constitute a leak from the heat exchangers into the water of cooling towers E379CT3, E379CT4, and 70382EG.
Self Report? NO Classification: Major
Citation: 2A TWC Chapter 7, SubChapter A 7.101
Rqmt Prov: ORDER Ordering Provision 3.a.
Description: Failure to comply with ordering provisions of the Commission Order Docket No. 2002-0174-AIR-E.
23. Date: 07/25/2006 (485504)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT No. 18251, Special Condition 4
Description: Failure to prevent unauthorized emissions.
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 101, SubChapter F 101.221(a)
Description: Failure to maintain the AN2 Flare in good working order during facility operations.
24. Date: 07/31/2006 (520096)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter
25. Date: 08/31/2006 (520097)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter
26. Date: 08/31/2006 (480128)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.116(a)(1)

- 5C THC Chapter 382, SubChapter D 382.085(b)
Description: Failure to maintain the tank throughputs for the acetic tank and water circulating tank as represented in the permit application dated February 29, 2000 for the TCEQ Permit no. 38336.
- Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT 38336, Special Condition 23.E
OP O-02324, Special Condition 18
OP O-02324, Special Condition 1A
Description: Failure to install caps/plugs/flanges on eight open-ended lines in unit 70ANFUG.
- Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(2)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.168(f)(2)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP O-02324, Special Condition 1A
Description: Failure to conduct a first attempt at repair on 1 valve within five calendar days after a leak was detected in the AN 7 Unit.
- Self Report? NO Classification: Minor
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT 38336, Special Condition 12B
OP O-02324, Special Condition 18
Description: Failure to maintain three pilots on the flare 70Z522.
- Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: PERMIT 38336, Special Condition 4
PERMIT 38336, Special Condition 8A
OP O-02324, Special Condition 18
Description: Failure to maintain the NOx emissions from the boiler 70Z401 within the permit limit in the AN7 Unit.
27. Date: 11/29/2006 (532004)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
5C THC Chapter 382, SubChapter A 382.085(b)
Rqmt Prov: PERMIT No. 38998, Special Condition 4
Description: Failure to prevent unauthorized emissions.
28. Date: 12/31/2006 (544352)
Self Report? YES Classification: Moderate
Citation: 30 TAC Chapter 305, SubChapter F 305.125(1)
TWC Chapter 26 26.121(a)
Description: Failure to meet the limit for one or more permit parameter
29. Date: 02/16/2007 (512464)
Self Report? YES Classification: Minor
Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
Rqmt Prov: OP FOP O-02321, SC 12
OP FOP O-02321, SC 1A
PA NSR 18251 SC 14E
PA NSR 18251, SC 12E
Description: Failure to cap 10 open-ended lines in HRVOC and HAP service.
30. Date: 02/21/2007 (539360)
Self Report? NO Classification: Moderate
Citation: 30 TAC Chapter 331, SubChapter D 331.63(e)
Rqmt Prov: PERMIT PROVISION VII.D.

- Description: Violation of maximum injection flow rate.
31. Date: 08/31/2007 (607508)
- Self Report? YES Classification: Moderate
- Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
- Description: Failure to meet the limit for one or more permit parameter
32. Date: 09/27/2007 (594475)
- Self Report? NO Classification: Minor
- Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT VV 60.482-6(a)(1)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT H 63.167(a)(1)
5C THC Chapter 382, SubChapter D 382.085(b)
- Rqmt Prov: OP FOP No. 2324, Spec. Cond 18
OP FOP No. 2324, Spec. Cond. 1A
PERMIT NSR Permit No. 38336, Spec. Cond. 20E
- Description: Failure to seal four (4) open ended lines in VOC service during the compliance period.
33. Date: 10/31/2007 (619438)
- Self Report? YES Classification: Moderate
- Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
- Description: Failure to meet the limit for one or more permit parameter
34. Date: 01/29/2008 (595602)
- Self Report? NO Classification: Minor
- Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
30 TAC Chapter 122, SubChapter B 122.145(2)(C)
5C THSC Chapter 382 382.085(b)
- Rqmt Prov: OP O-01258, General Terms and Conditions
- Description: Failure to submit the November 30, 2005 semi-annual deviation report within 30 days after the end of the reporting period.
- Self Report? NO Classification: Minor
- Citation: 30 TAC Chapter 122, SubChapter B 122.145(2)(A)
30 TAC Chapter 122, SubChapter B 122.146(5)(D)
5C THSC Chapter 382 382.085(b)
- Rqmt Prov: OP O-01258, General Terms and Conditions
- Description: Failure to submit a complete semi-annual report and annual compliance certification containing all terms and conditions of the permit for which compliance was not achieved.
35. Date: 03/31/2008 (671947)
- Self Report? YES Classification: Moderate
- Citation: 2D TWC Chapter 26, SubChapter A 26.121(a)
30 TAC Chapter 305, SubChapter F 305.125(1)
- Description: Failure to meet the limit for one or more permit parameter
36. Date: 04/11/2008 (618763)
- Self Report? NO Classification: Minor
- Citation: 30 TAC Chapter 115, SubChapter D 115.352(4)
30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
5C THSC Chapter 382 382.085(b)
- Rqmt Prov: PERMIT NSR 6534 Special Condition 18E
OP O-02319 Special Condition 1A
OP O-02319 Special Condition 20
- Description: Failure to maintain open ended lines.
- Self Report? NO Classification: Minor
- Citation: 30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.120(a)(2)(i)
5C THSC Chapter 382 382.085(b)
- Rqmt Prov: OP O-02319 Special Condition 1A
- Description: Failure to perform annual benzene tank inspections.
- Self Report? NO Classification: Minor
- Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
30 TAC Chapter 122, SubChapter B 122.143(4)
40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(3)(ii)

Rqmt Prov: 5C THSC Chapter 382 382.085(b)
 PERMIT NSR 6534 Special Condition 5
 OP O-02319 Special Condition 1A
 OP O-02319 Special Condition 20
 Description: Failure to maintain heating value of fuel gas.
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 40 CFR Chapter 60, SubChapter C, PT 60, SubPT A 60.18(c)(2)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: PERMIT NSR 6534 Special Condition 9B
 OP O-02319 Special Condition 1A
 OP O-02319 Special Condition 20
 Description: Failure to maintain flame on process flare 50Z2-C. (emissions – 20 minute release)
 Self Report? NO Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter D 115.354(2)(C)
 30 TAC Chapter 116, SubChapter B 116.115(c)
 30 TAC Chapter 122, SubChapter B 122.143(4)
 5C THSC Chapter 382 382.085(b)
 Rqmt Prov: PERMIT NSR 6534 Special Condition 10F
 PERMIT NSR 6534 Special Condition 18F
 OP O-02319 Special Condition 1A
 OP O-02319 Special Condition 20
 Description: Failure to monitor delay of repair components on a quarterly frequency.

F. Environmental audits.

1. Notice of Intent Date: 09/23/2004 (347742)
No DOV Associated
2. Notice of Intent Date: 01/03/2006 (453378)
No DOV Associated
3. Notice of Intent Date: 04/07/2006 (462917)
 1. Disclosure Date: 11/14/2006
 Viol. Classification: Minor
 Citation: 30 TAC Chapter 115, SubChapter B 115.143(c)(3)
 30 TAC Chapter 122, SubChapter B 122.142
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(a)(3)
 Description: Failure to submit written notification to the regional office or local pollution control office for 57T5 wastewater streams subject to 115 rules. Failure to include 57T5 tank and applicable requirements in NOCS and accurately represent in the Title V permit.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 115, SubChapter B 115.143(c)(1)
 Description: Failure to consider all unit 57T5 VOC's in streams as HAP's.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 122, SubChapter B 122.142
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(a)(3)
 Description: Failure to represent ch. 115, Subchapter B, Division 2 Vent Gas Controls that applies to 57T5 in the NOCS or Title V Permit, and amend the Title V permit to reflect that Tanks 57T5, 57T6, and 57T10 are surge control storage vessels that are exempt from permit requirements due to capacity.
 Viol. Classification: Moderate
 Citation: 30 TAC Chapter 116, SubChapter B 116.116
 30 TAC Chapter 122, SubChapter B 122.142
 40 CFR Chapter 63, SubChapter C, PT 63, SubPT G 63.152(a)(3)
 Description: Failure to include or accurately represent Tank Nos. 57T3, 57T6, 57T5, 57T10, 57T1, 57T11, 57T35, 57T32, 57R1-1 and 57R1-2 in the NOCS and the Title V and NSR permits.
4. Notice of Intent Date: 05/25/2006 (481532)
 2. Disclosure Date: 11/14/2006
 Viol. Classification: Minor
 Rqmt Prov: PERMIT 32151, SC 8A
 Description: Failure to notify the regional office 45 days prior to schedule stack sampling for scrubber 83S14 and 83S6.
5. Notice of Intent Date: 04/23/2007 (559025)
No DOV Associated
6. Notice of Intent Date: 01/31/2008 (641816)
No DOV Associated

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN
ENFORCEMENT ACTION
AGAINST
SOLUTIA INC.
RN100238682**

**§ BEFORE THE
§
§ TEXAS COMMISSION ON
§
§ ENVIRONMENTAL QUALITY**

AGREED ORDER DOCKET NO. 2008-0062-AIR-E

I. JURISDICTION AND STIPULATIONS

At its _____ agenda, the Texas Commission on Environmental Quality ("Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Solutia Inc. ("Solutia") under the authority of TEX. WATER CODE ch. 7 and TEX. HEALTH & SAFETY CODE ch. 382. The Executive Director of the TCEQ, represented by the Litigation Division, and Solutia, represented by Mr. Eric Groten of the law firm of Vinson & Elkins, LLP, appear before the Commission and together stipulate that:

1. Solutia owns and operates an organic chemical production plant located at Farm-to-Market Road 2917, approximately 11 miles southeast of Alvin and approximately 8 miles south of the intersection of Texas Highway 35 and FM 2917, in Brazoria County, Texas (the "Plant"). The Plant consists of one or more sources as defined in TEX. HEALTH & SAFETY CODE § 382.003(12).
2. This Agreed Order is entered into pursuant to TEX. WATER CODE §§ 7.051 and 7.070. The Commission has jurisdiction of this matter pursuant to TEX. WATER CODE § 5.013 because it alleges violations of TEX. HEALTH & SAFETY CODE ch. 382 and TCEQ rules.
3. The Commission and Solutia agree that the Commission has jurisdiction to enter this Agreed Order, and that Solutia is subject to the Commission's jurisdiction.
4. Solutia received notice of the violations alleged in Section II ("Allegations") on or about September 3, October 21, and December 19, 2007, and February 3, and 20, April 26 and 30, June 25, July 8, and August 4, 2008.
5. The occurrence of the violations is in dispute and the entry of this Agreed Order shall not constitute an admission by Solutia of the violations alleged in Section II ("Allegations"), nor of any statute or rule.

6. An administrative penalty in the amount of one hundred seventeen thousand forty-eight dollars (\$117,048.00) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Solutia has paid fifty-eight thousand five hundred twenty-four dollars (\$58,524.00) of the administrative penalty. Fifty-eight thousand five hundred twenty-four dollars (\$58,524.00) shall be conditionally offset by Solutia's completion of a Supplemental Environmental Project as defined in Attachment A and incorporated herein by reference. Solutia's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.
7. Any notice and procedures which might otherwise be authorized or required in this action are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Solutia have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director recognizes that on October 26, 2006, Solutia submitted an application to amend NSR Permit No. 38336 to increase the permitted maximum allowable emissions rate for Nitrogen Oxide ("NOx") for the AN-7 Process Air Startup Heater ("EPN 70H101-1") and on August 28, 2008, Solutia received an amended permit with increased emissions rates for the startup heater. Testing conducted on March 28, 2008 demonstrated that the heater was in compliance with the new revised NOx and CO maximum allowable emission rates.
10. The Executive Director recognizes that on September 24, 2007, Solutia revised the process for reporting annual compliance certifications and deviation reports, and trained staff responsible for filing those reports.
11. The Executive Director recognizes that on October 2, 2007, personnel were retrained for timely reporting of emissions events to the agency and on November 8 and 9, 2007, Solutia revised and re-trained personnel on the applicable crossover procedure for the Waste Heat Boiler system.
12. The Executive Director recognizes that Solutia, on April 22, 2008, reduced fuel firing rates based on current stack test established emission rates to reduce NOx from Heaters 50H1-1, 50H1-2, 50H1-3, 50H3, 51H1, 51H5 and 51H6 to the allowable level set forth in the permit.
13. The Executive Director recognizes that Solutia on June 2, 2008 revised its standard operating procedures "*Operate High Pressure Feedwater Pumps, Work Practice HPFW-42.21*" and associated check lists to require the operator to verify that the pump and backup pump(s) switches are set to "auto" start to prevent an incident similar to the November 26, 2007, emissions event.

14. The Executive Director recognizes that on May 15, 2008, Solutia submitted procedures designed to prevent a recurrence of the September 26, 2007 emissions event, and on June 5, 2008, it submitted corrective actions for the October 30, 2007 emissions event.
15. The Executive Director recognizes that on September 26, 2008, Solutia submitted procedures designed to prevent a recurrence of the February 29 and March 2, 2008 emissions events.
16. The Executive Director recognizes that on November 14, 2008, Solutia submitted procedures designed to prevent a recurrence of the March 27, 2008 emissions event.
17. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Solutia has not complied with one or more of the terms or conditions in this Agreed Order.
18. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
19. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

II. ALLEGATIONS

Solutia is alleged to have violated:

1. 30 TEX. ADMIN. CODE § 116.115(c); Permit No. 38336 Special Condition No. 4, and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to comply with a permit limit of 4.50 pounds per hour ("lbs/hr") for NOx emissions from the AN-7 Process Air Startup Heater ("70H101-1"), as documented during a record review conducted on February 19, 2007. Specifically, it was determined that NOx emissions from 70H101-1 were 5.39 lbs/hr.
2. 30 TEX. ADMIN. CODE § 117.8000 and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to test for compliance with the carbon monoxide ("CO") emission limits for 70H101-1 during the reference method stack test conducted on February 19, 2007, as documented during a record review conducted on November 27, 2007.
3. 30 TEX. ADMIN. CODE §§ 122.143(4), 122.145(2)(A), and 122.146(1); Operating Permit No. O-02319, General Terms and Conditions; and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to submit the Annual Compliance Certification for the period beginning November 29, 2004 through November 28, 2005, with the required certification language. In addition,

Solutia failed to identify this deficiency in the semi-annual deviation report for the time period of November 28, 2005 through May 28, 2006.

4. 30 TEX. ADMIN. CODE § 116.115(c); Air Permit No. 18251, Special Condition No. 4; and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to prevent unauthorized emissions. Specifically, 98.7 lbs of hydrogen cyanide ("HCN"), 357.4 lbs of acrylonitrile ("AN") and 5 lbs of acrolein were released when Solutia failed to open the manual block valve during crossover of Acrylonitrile Unit 3 off gas to the Acrylonitrile Unit 2 Waste Heat Boiler resulting in the over pressure of the system, causing an emissions event which began on August 5, 2007, and lasted for five minutes (Incident No. 95610), as documented during an record review conducted on September 10, 2007. Since this emissions event was avoidable and reported late, Solutia failed to meet the demonstration criteria for an affirmative defense under 30 TEX. ADMIN. CODE § 101.222.
5. 30 TEX. ADMIN. CODE § 101.201(a)(1)(B) and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to submit the initial notification within 24 hours of discovery of an emissions event that started on August 5, 2007, as documented during an record review conducted on September 10, 2007. Specifically, the incident started and ended on August 5, 2007, but the initial notification was not submitted until August 8, 2007.
6. 30 TEX. ADMIN. CODE § 116.115(c); Air Permit No. 18251, Special Condition No. 4, and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to prevent an unauthorized emissions event which occurred on September 26, 2007, as documented during an investigation conducted on December 4, 2007. Specifically, approximately 189 lbs of AN, 308 lbs of HCN, and 258 lbs of volatile organic compounds ("VOCs") were released from emissions point number ("EPN") 30H5 during the 36 minute event. The emission limits for AN, HCN and VOCs are 2.09, 1.26 and 12.04 lbs/hr, respectively. Since the emissions event was avoidable, it does not meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(1-11).
7. 30 TEX. ADMIN. CODE § 116.115(c); Air Permit No. 18251, Special Condition No. 4; and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to prevent an unauthorized emissions event which occurred on October 30, 2007, as documented during an investigation conducted on January 31, 2008. Specifically, approximately 99 lbs of AN, 210 lbs of HCN and 535 lbs of VOCs were released from EPN 30H5 during the one hour and nine minute event. The emission limits for AN, HCN and VOCs are 2.09, 1.26 and 12.04 lbs/hour, respectively. Since the emissions event was avoidable, it does not meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222(b)(1-11).
8. 30 TEX. ADMIN. CODE §§ 101.20(3) and 116.115(c); TEX. HEALTH & SAFETY CODE § 382.085(b); and Permit No. 38336/PSD-TX-910, Special Condition No. 4, by failing to comply with permitted emissions limits. Specifically, during a reference method stack test

conducted on March 28, 2008, it was determined that NO_x and CO emissions from the AN-7 Process Air Startup Heater, EPN 70H101-2 were 8.62 lbs/hr and 13.47 lbs/hr respectively. The emission limits for this EPN are 4.50 lbs/hr for NO_x and 6.0 lbs/hr for CO.

9. 30 TEX. ADMIN. CODE § 116.115(c); TEX. HEALTH & SAFETY CODE § 382.085(b); and Permit No. 18251, Special Condition No. 4, by failing to prevent unauthorized emissions. Specifically, an emissions event occurred on February 29, 2008 due to a preventable electrical spike at EPN 31H4, which lasted for one hour and 43 minutes and resulted in the release of 15.20 lbs of HCN and 526.80 lbs of propylene. The emission limits for this EPN are 1.26 lbs/hr for HCN and 4.01 lbs/hr for VOC. Since this emissions event could have been avoided by good design, operation and maintenance practices, it did not meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
10. 30 TEX. ADMIN. CODE § 116.115(c); TEX. HEALTH & SAFETY CODE § 382.085(b); and Permit No. 18251, Special Condition No. 4, by failing to prevent unauthorized emissions. Specifically, an emissions event occurred on March 2, 2008 due to a preventable electrical spike at EPN 31H4, which lasted for 37 minutes and resulted in the release of 166 lbs of propylene. The emission limits for this EPN are 4.01 lbs/hr for VOC. Since this emissions event could have been avoided by good design, operation and maintenance practices, it did not meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
11. 30 TEX. ADMIN. CODE § 116.115(c); TEX. HEALTH & SAFETY CODE § 382.085(b); and Permit No. 18251, Special Condition No. 4, by failing to prevent unauthorized emissions. Specifically, an emissions event occurred on March 27, 2008 due to a loss of air flow from operator error at EPN 30H5, which lasted for one hour and 51 minutes and resulted in the release of 4,057 lbs of VOC, 4,714 lbs of CO and 61 lbs of HCN. The emission limits for this EPN are 3.57 lbs/hr for VOC, 31 lbs/hr for CO and 1.26 lbs/hr for HCN. Since this emissions event could have been avoided by good design, operation and maintenance practices, and it was improperly reported, it did not meet the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222.
12. 30 TEX. ADMIN. CODE § 101.201(b)(1) and TEX. HEALTH & SAFETY CODE § 382.085(b), by failing to properly report an emissions event. Specifically, the final report for the March 27, 2008 emissions event did not contain the authorized limits for several pollutants that were involved in the event.
13. 30 TEX. ADMIN. CODE § 116.115(c); TEX. HEALTH & SAFETY CODE § 382.085(b); and Permit No. 18251, Special Condition No. 4, by failing to prevent unauthorized emissions on November 26, 2007 when the secondary backup pump, Pump 350P1-3 failed to start automatically when the primary boiler feed water pump, Pump 350P1-2 failed. Specifically,

during the emissions event which lasted five minutes, the total unauthorized emissions were 355.59 lbs of VOCs and 50.54 lbs of HCN. Because these emissions could have been foreseen and avoided by good operating practices, the demonstration criteria for an affirmative defense in 30 TEX. ADMIN. CODE § 101.222 could not be met.

14. 30 TEX. ADMIN. CODE § 116.115(c); TEX. HEALTH & SAFETY CODE § 382.085(b); and Permit No. 6534, Special Condition No. 1, by failing to comply with the combined maximum allowable emission rate ("MAER") for NOx for seven Linear Alkyl Benzene ("LAB") Unit heaters during stack testing conducted on February 27-28, 2007 and March 1-2 and 14, 2007. Specifically, the combined NOx MAER for Heaters 50H1-1, 50H1-2, 50H1-3, 50H3, 51H1, 51H5 and 51H6 is 18.0 lbs/hr. During testing, the actual combined rate was 21.85 lbs/hr.

III. DENIALS

Solutia generally denies the allegations contained in Section II ("Allegations").

IV. ORDER

1. It is, therefore, ordered by the TCEQ that Solutia is assessed an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Solutia's compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from considering requiring corrective action or penalties for violations which are not raised here. Administrative penalty payments shall be made payable to "Texas Commission on Environmental Quality" and shall be sent with the notation "Re: Solutia Inc., Docket No. 2008-0062-AIR-E" to:

Financial Administration Division, Revenues Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. Solutia shall implement and complete a Supplemental Environmental Project in accordance with TEX. WATER CODE § 7.067. Fifty-eight thousand five hundred twenty-four dollars (\$58,524.00) of the assessed penalty shall be offset with the condition that Solutia implement the SEP defined in Attachment A. Solutia's obligation to pay the conditionally offset portion of the administrative penalty assessed shall be discharged upon final completion of all provisions of the SEP agreement.

3. The provisions of this Agreed Order shall apply to and be binding upon Solutia. Solutia is ordered to give notice of this Agreed Order to personnel who maintain day-to-day control over the Plant operations referenced in this Agreed Order.
4. If Solutia fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Solutia's failure to comply is not a violation of this Agreed Order. Solutia has the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Solutia shall notify the Executive Director within seven days after Solutia becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Solutia shall be made in writing to the Executive Director. Extensions are not effective until Solutia receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against Solutia in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.
8. Under 30 TEX. ADMIN. CODE § 70.10(b) and TEX. GOV'T CODE § 2001.142, the effective date of this Agreed Order is the date of hand-delivery of the Order to Solutia, or three days after the date on which the Commission mails notice of the Order to Solutia, whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

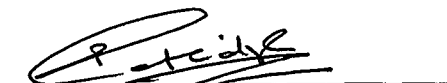

For the Executive Director

4/24/2009
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity, if any, indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that Solutia's failure to comply with the Ordering Provisions, if any, in this order and/or Solutia's failure to timely pay the penalty amount, may result in:

- A negative impact on Solutia's compliance history;
- Greater scrutiny of any permit applications submitted by Solutia;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions against Solutia;
- Automatic referral to the Attorney General's Office of any future enforcement actions against Solutia; and
- TCEQ seeking other relief as authorized by law.


Signature

2/9/09
Date

Paul Cartledge
Name (Printed or typed)
Authorized representative of
Solutia Inc.

Plant Manager
Title

Attachment A
Docket Number: 2008-0062-AIR-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	SOLUTIA INC.
Penalty Amount:	One hundred seventeen thousand forty-eight dollars (\$117,048)
SEP Offset Amount:	Fifty-eight thousand five hundred twenty-four dollars (\$58,524)
Type of SEP:	Pre-approved
Third-Party Recipient:	Houston-Galveston Area Emission Reduction Credit Organization ("AERCO") <i>Clean Cities/Clean Vehicles Program</i>
Location of SEP:	Brazoria County

The Texas Commission on Environmental Quality ("TCEQ") agrees to offset a portion of the administrative Penalty Amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project ("SEP"). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

Respondent shall contribute the SEP Offset Amount to the Third-Party Recipient named above. The contribution will be to **AERCO** for the *Clean Cities/Clean Vehicles Program* in Brazoria County as set forth in an agreement between the Third-Party Recipient and the TCEQ. Specifically, SEP funds will be used to aid local school districts and area transit agencies, and may be used to reach local match requirements mandated by the Federal Highway Administration's ("FHWA") Congestion Mitigation/Air Quality funding program. SEP funds will be disbursed to school districts and transit agencies in need of funding assistance in the Houston-Galveston non-attainment area. SEP funds will be used for the costs of retrofitting or replacing older diesel buses with alternative fueled or clean fuel diesel buses. The older "high emission" buses will be permanently retired and sold only for scrap. This project will be administered in accordance with federal, state, and local environmental laws and regulations.

The Respondent certifies that it has no prior commitment to do this project and that it is being performed solely in an effort to settle this enforcement action.

B. Environmental Benefit

Passengers, drivers, and students in the area where school buses idle during transportation are subject to harmful diesel exhaust emission every school day. Apart from containing the ozone precursors nitrogen oxides ("NOx") and hydrocarbons ("HC"), diesel exhaust is known to cause or exacerbate a number of respiratory diseases, including asthma. Due to the more stringent emissions standards introduced by the Environmental Protection Agency (EPA), model 2007 and newer buses are also cleaner in terms of particulate matter (PM) emissions than model year 2004 buses. New NOx and HC standards phased in between 2007 and 2010 will

SOLUTIA INC.
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result in new school bus engines being 72% cleaner for HC and 90% cleaner for NOx than a bus produced to meet the 2004 federal standards for these pollutants.

This SEP will provide a discernible environmental benefit by retiring high-emission buses from service, purchasing newer, clean fuel technology buses, and replacing newer buses with fuel treatment technology that reduces PM and HC.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Recipient and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Recipient. The Respondent shall mail a copy of the Agreed Order with the contribution to:

Houston-Galveston Area Council
Houston-Galveston AERCO
P.O. Box 22777
Houston, TX 77227-2777

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the TCEQ SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Recipient. The Respondent shall mail a copy of the check and transmittal letter to:

Litigation Division
Attention: SEP Coordinator, MC 175
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this SEP in any way, including full payment of the SEP Offset Amount and submittal of the required reporting described in Section 3 above, the Executive Director may require immediate payment of all or part of the SEP Offset Amount.

In the event of incomplete performance, the Respondent shall submit a check for any remaining amount due made payable to "Texas Commission on Environmental Quality" with the notation "SEP Refund" and the docket number of the case, and shall send it to:

SOLUTIA INC.
Agreed Order Docket 2008-0062-AIR-E

Texas Commission on Environmental Quality
Office of Legal Services
Attention: SEP Coordinator, MC 175
P.O. Box 13088
Austin, Texas 78711-3088

5. Publicity

Any public statements concerning this SEP made by or on behalf of the Respondent must include a clear statement that the project was performed as part of the settlement of an enforcement action brought by the TCEQ. Such statements include advertising, public relations, and press releases.

6. Clean Texas Program

The Respondent shall not include this SEP in any application made to TCEQ under the "Clean Texas" (or any successor) program(s). Similarly, the Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP identified in this Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.